

ARTICLE 16 To see if the Town will vote to authorize the Board of Selectmen to grant an easement to Northern Bank and Trust for placement of an ATM machine in the Town owned parking area between Woburn Street and Haven Street in accordance with a plan titled "ATM Kiosk Easement Exhibit Plan", dated Feb, 24, 2012 prepared by Allen & Major Associates, Inc.; and, further, to see if the Town will vote to authorize the Board of Selectmen to acquire an easement for driveway purposes between Haven Street and the parking area from Northern Bank and Trust in accordance with a plan titled "Access Easement Exhibit Plan", dated Feb, 24, 2012 prepared by Allen & Major Associates, Inc.; or take any other action related thereto.

Board of Selectmen

ARTICLE 17 To see if the Town will vote to authorize the Board of Selectmen, upon approval of the Conservation Commission, to obtain a utility easement for the construction, maintenance, repair and operation of utilities over, across and upon a certain portion of land in the Town of Reading held by it for conservation purposes pursuant to a plan entitled "Belmont Street to Ivy Street Utility Easement" prepared by the Department of Public Works Engineering Division and dated March 5, 2012;

and, further, to see if the Town will authorize, empower and direct the Selectmen and the Conservation Commission, to execute, acknowledge and deliver in the name and on behalf of said Town such deeds or other instruments as may be necessary or proper in connection therewith, such deeds or other instruments to be in such form and upon such terms as the Selectmen may deem proper; and, further, that the Town authorize the Selectmen and Conservation Commission to petition the General Court to adopt such legislation as may be necessary to carry out the purpose of this vote, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 18 To see if the Town will adopt the following resolution:

We, the voters at the 2012 Annual Town Meeting of the Town of Reading, affirm our belief that the First Amendment to the United States Constitution was designed to protect the free speech rights of people, not corporations.

The United States Supreme Court's 2010 decision in Citizens United v. Federal Election Commission overturned longstanding precedent prohibiting corporations and unions from spending their general treasury funds in public elections. We believe that the ruling created a serious and direct threat to our democracy and the conduct of free and fair elections, by permitting corporations and others to drown out the voices of ordinary persons. Already we have seen our political process flooded with newly unleashed corporate and other money, resulting in historically unprecedented campaign expenditures.

The people of the United States have previously used the Constitutional Amendment process to correct decisions of the United States Supreme Court that invade or invalidate democratic institutions, including elections.

NOW, THEREFORE, BE IT RESOLVED THAT WE, THE VOTERS AT THE 2012 ANNUAL TOWN MEETING OF THE TOWN OF READING, CALL UPON THE UNITED STATES CONGRESS TO PASS AND SEND TO THE STATES FOR RATIFICATION A CONSTITUTIONAL AMENDMENT TO RESTORE THE FIRST AMENDMENT AND FAIR ELECTIONS TO THE PEOPLE, AND FURTHER, WE CALL UPON THE MASSACHUSETTS GENERAL COURT TO PASS ONE OR MORE RESOLUTIONS ASKING FOR THOSE ACTIONS.

The Town Clerk of the Town of Reading shall send a copy of this resolution to the state and federal representatives and senators serving the Town of Reading, and to the Governor of the Commonwealth of Massachusetts and the President of the United States, and take any other appropriate action relative thereto.

Or take any other action with respect thereto

By Petition
John Lippitt et al

ARTICLE 19 To see if the Town will vote to approve an Affordable Housing Trust Fund Allocation Plan pursuant to Chapter 140 of the Acts of 2001 entitled "AN ACT AUTHORIZING THE TOWN OF READING TO ESTABLISH AN AFFORDABLE HOUSING TRUST FUND", or take any other action with respect thereto.

Board of Selectmen

ARTICLE 20 To see if the Town will vote to add section 5.4 to the Town of Reading General Bylaw as follows

5.4 Criminal History Check Authorization

5.4.1 Fingerprint Based Criminal History checks The Police Department shall, as authorized by Massachusetts General Laws Chapter 6, Section 172 B 1/2, conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for the following licenses:

- Hawking and Peddling or other Door-to- Door Salespeople, (Police Chief)
- Manager of Alcoholic Beverage License (Board of Selectmen)
- Owner or Operator of Public Conveyance (Board of Selectmen)
- Dealer of Second-hand Articles (Board of Selectmen)
- Hackney Drivers, (Board of Selectmen)
- Ice Cream Truck Vendors (Board of Health)

5.4.1.1 Notification At the time of fingerprinting, the Police Department shall notify the individual fingerprinted that the fingerprints will be used to check the individual's criminal history records. The Police Chief shall periodically check with the Executive Office of Public Safety and Security ("EOPSS") which has issued an Informational Bulletin which explains the requirements for town by-laws and the procedures for obtaining criminal history information, to see if there have been any updates to be sure the Town remains in compliance.

5.4.1.2 State and national criminal records background checks Upon receipt of the fingerprints and the appropriate fee, the Police Department shall transmit the fingerprints it has obtained pursuant to this by-law to the Identification Section of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services (DCJIS), and/or the Federal Bureau of Investigation (FBI) or the successors of such agencies as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks of license applicants specified in this by-law.

5.4.1.3 Authorization to conduct fingerprint-based state and national criminal record background checks The Town authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of Investigation (FBI), and their successors, as may be applicable, to conduct fingerprint-based state and national criminal record background checks, including of FBI records, consistent with this by-law. The Town authorizes the Police Department to receive and utilize State and FBI records in connection with

such background checks, consistent with this by-law. The State and FBI criminal history will not be disseminated to unauthorized entities. Upon receipt of a report from the FBI or other appropriate criminal justice agency, a record subject may request and receive a copy of his/her criminal history record from the Police Department. Should the record subject seek to amend or correct his/her record, he/she must take appropriate action to correct said record, which action currently includes contacting the Massachusetts Department of Criminal Justice Information Services (DCJIS) for a state record or the FBI for records from other jurisdictions maintained in its file. An applicant that wants to challenge the accuracy or completeness of the record shall be advised that the procedures to change, correct, or update the record are set forth in Title 28 CFR 16.34. The Police Department shall not utilize and/or transmit the results of the fingerprint-based criminal record background check to any licensing authority pursuant to this by-law until it has taken the steps detailed in this paragraph.

5.4.1.4 Municipal officials should not deny an applicant the license based on information in the record until the applicant has been afforded a reasonable time to correct or complete the information, or has declined to do so. The Police Department shall communicate the results of fingerprint-based criminal record background checks to the appropriate governmental licensing authority within the Town as listed. The Police Department shall indicate whether the applicant has been convicted of, or is awaiting final adjudication for, a crime that bears upon his or her suitability or any felony or misdemeanor that involved force or threat of force, controlled substances or a sex-related offense.

5.4.1.5 Regulations The Board of Selectmen, is authorized to promulgate regulations for the implementation of the proposed by-law, but in doing so it is recommended that they consult with the Chief of Police, Town Counsel and the Massachusetts Executive Office of Public Safety and Security (or its successor agency) to ensure that such regulations are consistent with the statute, the FBI's requirements for access to the national database, and other applicable state laws.

5.4.2 Use of Criminal Record by Licensing Authorities Licensing authorities of the Town shall utilize the results of fingerprint-based criminal record background checks for the sole purpose of determining the suitability of the subjects of the checks in connection with the license applications specified in this by-law. A Town licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed occupational activity. The licensing authority shall consider all applicable laws, regulations and Town policies bearing on an applicant's suitability in making this determination.

The Town or any of its officers, departments, boards, committees or other licensing authorities is hereby authorized to deny any application for, including renewals and transfers thereof, for any person who is determined unfit for the license, as determined by the licensing authority, due to information obtained pursuant to this by-law.

5.4.3 Fees The fee charged by the Police Department for the purpose of conducting fingerprint-based criminal record background checks shall be determined by the Board of Selectmen and shall not exceed one hundred dollars (\$100). The Town Treasurer shall periodically consult with Town Counsel and the Department of Revenue, Division of Local Services regarding the proper municipal accounting of those fees. A portion of the fee, as specified in Mass. Gen. Laws Chapter 6, Section 172B 1/2, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee may be retained by the Town for costs associated with the administration of the fingerprinting system.

5.4.4 Effective Date This by-law shall take effect May 4, 2012, so long as the requirements of G.L. c. 40 sec. 32 are satisfied.

Or take any other action with respect thereto

ARTICLE 21 To see if the Town will vote to Amend Section 7.2 of the Town of Reading General Bylaw by inserting the following new language as Section 7.2.3.8:

7.2.3.8 Appeal

The owner of record may appeal from either or both of the:

- Inclusion on the list of Potentially Significant Structures
- Conditions of demolition delay

by filing a written notice of appeal within fourteen (14) days of the date of said decision, with both the Chairman of the Historical Commission and the Chairman of the Board of Selectmen.

Within twenty-one (21) days of receipt of the notice of appeal, the Board of Selectman shall convene an appeal hearing which shall include the Historical Commission and the owner of record, (or their attorney, or other designated representative) for the purpose of adjudicating the appeal. The appeal shall review the record of the proceedings before the Historical Commission and input provided by the applicant and HisCom representatives. Notice of the hearing shall be given to the parties and to abutters within 300 feet of the property. Within fourteen (14) days of the conclusion of the hearing, the Board of Selectmen will render a decision on the appeal.

or take any other action with respect thereto.

By Petition
Erin Calvo-Bacci et al

ARTICLE 22 To see if the Town will vote to authorize the Board of Selectmen to petition the Great and General Court for a Special Act which will amend sections of Article 2 of the Reading Home Rule Charter as follows (note – ~~cross through~~ represents language to be eliminated and **bold** represents new language):

Section 2-1: Composition

The legislative body of the Town shall be a representative Town Meeting consisting of one hundred ~~ninety-two (192)~~ **forty four (144)** members from eight (8) precincts who shall be elected to meet, deliberate, act and vote in the exercise of the corporate powers of the Town. Each precinct shall be equally represented in Town Meetings by members so elected that the term of office of one-third of the members shall expire each year. **Any increase or reduction in the number of members of Town Meeting shall be phased in equally over a three year period**

Section 2-3: Town Meeting Membership

The registered voters in every precinct shall elect Town Meeting Members in accordance with all applicable election laws. Whenever any precincts are revised, the registered voters shall elect ~~twenty-four (24)~~ **eighteen (18)** Town Meeting Members to represent the precinct. Terms of office shall be determined by the number of votes received. The ~~eight (8)~~ **six (6)** candidates receiving the highest number of votes shall serve for three (3) years, the ~~eight (8)~~ **six (6)** receiving the next highest number of votes shall serve for two (2) years, and the next ~~eight (8)~~ **six (6)** candidates receiving the next highest number of votes shall serve for one (1) year from the day of election.

In the event of a tie, ballot position shall determine the order of finish. At each Annual Election thereafter, the registered voters in each precinct shall elect ~~eight (8)~~ **six (6)** Town Meeting Members to represent the precinct, and shall also elect Town Meeting Members to fill any vacant terms.

After the revision of precincts, the term of office of all Town Meeting Members from the revised precincts shall cease upon the election of their successors. After each election of Town Meeting Members, the Town Clerk shall notify each Town Meeting Member of his election by mail.

To be qualified for election on a write-in vote for a vacant Town Meeting position, the write-in candidate must receive at least ten (10) write-in votes. In the event of a tie write-in vote for a vacant Town Meeting position, the position shall be filled by a vote of the remaining Town Meeting Members of the precinct, from the write-in candidates whose write-in votes were tied **with at least ten (10) write-in votes.** The Town Clerk shall give notice of the tie vote to the remaining Town Meeting Members of the precinct. The Town Clerk shall set a time and place for a precinct meeting for the purpose of filling the vacancy. The Town Clerk shall give notice of the meeting to precinct Town Meeting Members at least seven (7) days in advance and shall publish legal notice in a newspaper of general circulation in the community. A vacant position filled in this manner shall be filled for the entire remainder of the term.

Or take any other action with respect thereto

Board of Selectmen

ARTICLE 23 To see if the Town will vote, pursuant to Section 2-6 of the Reading Home Rule Charter, to declare the seats of certain Town Meeting Members to be vacant and remove certain described persons from their position as Town Meeting Members for failure to take the oath of office within 30 days following the notice of election or for failure to attend one half or more of the Town Meeting sessions during the previous year, or take any other action with respect thereto:

Precinct 1 None

Precinct 2 None

Precinct 3 None

Precinct 4 None

Precinct 5 None

Precinct 6 None

Precinct 7 None

Precinct 8 None

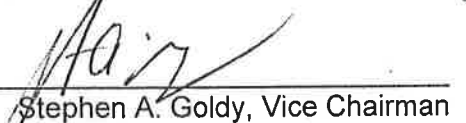
Board of Selectmen

and you are directed to serve this Warrant by posting an attested copy thereof in at least one (1) public place in each precinct of the Town not less than fourteen (14) days prior to April 23, 2012, or providing in a manner such as electronic submission, holding for pickup or mailing, an attested copy of said Warrant to each Town Meeting Member.

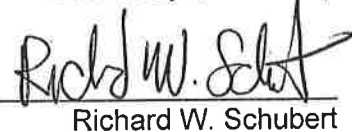
Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at or before the time appointed for said meeting.

Given under our hands this 28th day of February, 2012.

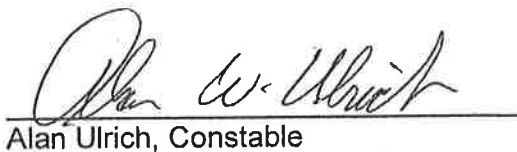

Camille W. Anthony, Chairman


Stephen A. Goldy, Vice Chairman


Ben Tafoya, Secretary


Richard W. Schubert

James Bonazoli


Alan Ulrich, Constable

SELECTMEN OF READING

Local Election

March 6, 2012

Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters

4,157 Total Ballots

24.5% of registered voters cast as follows:

Moderator for one year - Vote for One									
Candidate	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Alan E. Foulds *	464	339	322	382	354	290	402	397	2,950
Other	4	1	-	2	3	-	1	3	14
Blanks	184	126	132	138	151	121	153	188	1,193
Total	652	466	454	522	508	411	556	588	4,157
* Elected									

Board of Selectmen for three years - Vote for One									
Candidate	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
John J Arena *	407	268	231	270	250	249	306	294	2,275
Karen Gately Herrick	199	162	178	196	203	122	189	229	1,478
Other	-	1	-	2	2	1	1	1	8
Blanks	46	35	45	54	53	39	60	64	396
Total	652	466	454	522	508	411	556	588	4,157
* Elected									

Board of Assessors for three years - Vote for One									
Candidate	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Camille W Anthony	278	172	197	236	251	155	211	233	1,733
Robert J Quinn *	291	241	208	224	198	211	276	267	1,916
Other	-	-	-	1	-	-	-	4	5
Blanks	83	53	49	61	59	45	69	84	503
Total	652	466	454	522	508	411	556	588	4,157
* Elected									

Board of Library Trustees for three years - Vote for Two									
Candidate	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Alice W Collins *	407	306	294	322	324	262	355	332	2,602
Andrew W Grimes *	334	254	234	310	289	202	301	302	2,226
Other	6	-	-	-	1	-	-	1	8
Blanks	557	372	380	412	402	358	456	541	3,478
Total	1,304	932	908	1,044	1,016	822	1,112	1,176	8,314
* Elected									

Local Election
March 6, 2012
Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters

4,157 Total Ballots

24.5% of registered voters cast as follows:

Municipal Light Board for three years - Vote for Two									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Richard S Hahn	259	191	186	185	215	150	227	227	1,640
Mary Ellen O'Neill *	303	242	249	272	269	231	284	257	2,107
Marsie K West *	267	183	188	245	218	143	214	218	1,676
Other	2	-	-	-	1	-	-	1	4
Blanks	473	316	285	342	313	298	387	473	2,887
Total	1,304	932	908	1,044	1,016	822	1,112	1,176	8,314
* Elected									

School Committee for three years - Vote for Two									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Christopher Caruso *	376	283	268	312	299	242	339	307	2,426
Robert L Spadafora Jr *	399	288	284	318	314	259	333	351	2,546
Other	-	1	-	1	4	2	3	8	19
Blanks	529	360	356	413	399	319	437	510	3,323
Total	1,304	932	908	1,044	1,016	822	1,112	1,176	8,314
* Elected									

Local Election
March 6, 2012
Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters

4,157 Total Ballots

24.5% of registered voters cast as follows:

Precinct One - Town Meeting Members - Vote for Twenty Four									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
John J Arena *	426								426
Roger J D'Entremont *	318								318
Paula J Perry *	316								316
Mark L Dockser *	310								310
Thomas William Connery *	306								306
Sheila M Mulroy *	301								301
Roy A Benjamin Jr *	299								299
Thomas J Ryan *	289								289
Nancy A Docktor *	280								280
John R Halsey *	274								274
Sheila M Clarke *	264								264
Ellen Mounteer *	264								264
Ronald Thomas O'Keefe Jr *	247								247
Mark F Cardono *	242								242
Lin Crosman-Chabra *	239								239
David Francis Lee Jr *	234								234
Elaine Webb *	15								15
Steven L Perry *	13								13
William Grace *	4								4
David A Zeek *	1								1
Janet Triglione *	1								1
Marc Pinette *	1								1
Andrew Ryan *	1								1
Yvonne Silva *	1								1
Other	6								6
Blanks	10,996								10,996
Total	15,648								15,648
* Elected									

Local Election
March 6, 2012
Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters

4,157 Total Ballots

24.5% of registered voters cast as follows:

Precinct Two - Town Meeting Members - Vote for Twenty Four									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Priscilla Ryan *		254							254
Peter G Coumounduros *		249							249
Anthony D'Arezzo *		243							243
Marcia Nigro Dresser *		242							242
Thomas B O'Rourke *		241							241
William C Ryan *		236							236
Reginald T Peters *		233							233
Stephen L Crook *		231							231
Karen Janowski *		8							8
Francis Burke *		6							6
Amanda Foulds *		5							5
George Snow *		5							5
Walter Carroll *		5							5
David O'Sullivan *		5							5
Karen Burke *		3							3
Anthony Bastiani *		3							3
Christine Ford *		3							3
Paul McNeice *		3							3
David Wayne Decker *		3							3
Denise Iozzo *		2							2
Jared Beaulieu *		2							2
Kenneth Johnson **		1							1
Sara Forbes **		1							1
Alan Beaulieu **		1							1
David Engelson **		1							1
Howard Cohen **		1							1
John Parsons **		1							1
Kara Fratto **		1							1
Other		250							250
Blanks		8,945							8,945
Total		11,184							11,184
* Elected									
** Tie Breaker to be determined by Precinct at Annual Town Meeting									

Local Election
March 6, 2012
Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters

4,157 Total Ballots

24.5% of registered voters cast as follows:

Precinct Three - Town Meeting Members - Vote for Twenty Four									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Nancy J Twomey *			265						265
Nancy M Graham *			236						236
Sheila C Spinney *			236						236
Norman W Blanchard *			223						223
Richard H Curtis *			222						222
Lawrence A Hurley *			214						214
Michael J McDade *			210						210
Joseph P Westerman *			209						209
William H Downing *			208						208
John D Breslin *			205						205
David B Tuttle *			5						5
Richard Eagleston *			4						4
Nicholas J Safina *			3						3
Steven Oston *			3						3
Brain Snell *			3						3
Micheal Bertone *			2						2
Jason D Tuttle *			1						1
John P Tuttle *			1						1
Jane Fiore *			1						1
Joseph D'Alessio *			1						1
Eileen Rojas *			1						1
Sue Reardon *			1						1
Gregory Johnson *			1						1
Kathleen Tibbetts *			1						1
Other			2						2
Blanks			8,638						8,638
Total			10,896						10,896
* Elected									

Local Election

March 6, 2012

Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters

4,157 Total Ballots

24.5% of registered voters cast as follows:

Precinct Four - Town Meeting Members - Vote for Twenty Four									
Candidate	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Ben Tafoya *				260					260
Russell T Graham *				251					251
Marsie K West *				246					246
Stephen A Goldy *				235					235
Richard P Abate *				234					234
Lori L Vinciguerra *				231					231
Meghan A Young *				230					230
Andrew W Grimes *				217					217
Ralph L Vinciguerra *				217					217
Mary Ellen O'Neill *				214					214
Chuck Robinson *				214					214
Matthew L Wilson *				208					208
Lynne H Cameron *				200					200
Richard E McDonald *				197					197
Harry M Simmons *				193					193
David G Mancuso *				188					188
Glen M Hartzler *				183					183
Richard H Coco *				180					180
Berry C Berman *				175					175
Arthur T Hayden *				163					163
Karen A Richard *				22					22
John F O'Neill *				21					21
Robert M Connors *				20					20
James Maughan *				16					16
Tim O'Neill				6					6
Aaron Hackel				2					2
Michelle Hopkinson				2					2
Michele Carrick				2					2
Robert LeLacheur				2					2
David Lautman				1					1
Brenda Sousa				1					1
Thomas Loughlin				1					1
Robert Corwin				1					1
Nick Andrews				1					1
Robyn Parker				1					1
Other				3					3
Blanks				8,190					8,190
Total				12,528					12,528
* Elected									

Local Election
March 6, 2012
Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters

4,157 Total Ballots

24.5% of registered voters cast as follows:

Precinct Five - Town Meeting Members - Vote for Twenty Four									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Jonathan E Barnes *					296				296
Jared P Belliveau *					281				281
Camille W Anthony *					267				267
Charles L Adams *					238				238
Gary M Nihan *					233				233
Patrick P O'Sullivan *					226				226
Philip B Pacino *					216				216
Donnan S Barnes *					214				214
Jancie M Jones *					214				214
Angela F Binda *					210				210
Kenneth E Young *					204				204
Erin K Calvo-Bacci *					199				199
Eleanor K Higgott *					199				199
David A Talbot *					196				196
Marie B Ferrari *					195				195
Gina M Snyder *					195				195
Frederick S Shaffer *					193				193
Robert J Ferrari *					190				190
Philip Rushworth *					190				190
Laurence F Hayes Jr *					181				181
Bo S Garrison *					171				171
Alden Wilcox Ward *					5				5
Megan Boissonneau *					3				3
Lawrence E Mabiuis **					2				2
Daniel L Jones Jr **					2				2
Nancy Ziemiak **					2				2
Tom Weber **					2				2
Daniel Knowles **					2				2
Matthew Shapank					1				1
Michael Gray					1				1
Lisa Wright					1				1
Dianne Kennedy					1				1
William Dunham					1				1
Roberta Sullivan					1				1
Laura Messier					1				1
Other					7				7
Blanks					7,652				7,652
Total					12,192				12,192
* Elected									
** Tie Breaker to be determined by Precinct at Annual Town Meeting									

Local Election

March 6, 2012

Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters

4,157 Total Ballots

24.5% of registered voters cast as follows:

Precinct Six - Town Meeting Members - Vote for Twenty Four									
Candidate	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Mary Ann C Quinn *						190			190
Ralph A Colorusso *						183			183
James E Bonazoli *						182			182
Robert J Quinn *						178			178
Ronald M D'Addario *						176			176
Drucilla Wood-Beckwith *						174			174
Keith J Driscoll *						170			170
Jeanne M Borawski *						150			150
Donna L Dudley *						148			148
Greg F Selvitelli *						148			148
Diana M Kaine *						147			147
Micheal A Smith *						144			144
Robert L Mandell *						142			142
Kenneth Mathew Lafferty *						141			141
Micheal J Borawski *						134			134
Jeffrey D Perkins *						126			126
Mary Parr *						12			12
J Thomas Parr *						11			11
John Miles *						5			5
Christopher R Campbell *						3			3
Frank Kyle *						2			2
Michael Fahey *						2			2
James Mulvey *						2			2
Fred McGrane **						1			1
Grace McGrane **						1			1
Anne Colorusso **						1			1
Kevin Douglas **						1			1
Helen Enos **						1			1
Ernest Arsenault **						1			1
Nancy Coleman **						1			1
Frank Coleman **						1			1
Greg Selvitelli **						1			1
Robert R Lynch **						1			1
Micheal Alan Mandell **						1			1
Other						7			7
Blanks						7,276			7,276
Total						9,864			9,864
* Elected									
** Tie Breaker to be determined by Precinct at Annual Town Meeting									

Local Election
March 6, 2012
Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters

4,157 Total Ballots

24.5% of registered voters cast as follows:

Precinct Seven - Town Meeting Members - Vote for Twenty Four									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Daniel A Ensminger *							240		240
John E Carpenter *							238		238
Christopher Caruso *							238		238
Michele Weber Chiappini *							231		231
John Jack K Downing *							227		227
John C Segalla *							213		213
Jesse M Downing *							212		212
Richard W Schubert *							212		212
Carl F Anderson III *							205		205
Norman F Kozlowski *							201		201
Carolyn R Whiting *							197		197
Lori Ann C Weir *							196		196
Frances C Sansalone *							192		192
Linda M Phillips *							191		191
Karl E Weld *							190		190
Charles V Donnelly-Moran *							189		189
John C Weston *							186		186
Jeffery W Struble *							185		185
Bryan EJ Walsh *							185		185
Martin J Foodman *							181		181
Darlene C Porter *							180		180
Gary D Phillips *							179		179
John A Lippitt *							176		176
Brandon P Chapman *							6		6
Phillip Werth							3		3
Elizabeth R Schwartz							2		2
Tina Ohlson							2		2
Douglas R Cowell							1		1
Pasquale Centrella							1		1
Emily Phillips							1		1
John Means							1		1
Pat Iapicca							1		1
Kevin Vendt							1		1
Other							3		3
Blanks							8,678		8,678
Total							13,344		13,344
* Elected									

Local Election
March 6, 2012
Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters

4,157 Total Ballots

24.5% of registered voters cast as follows:

Precinct Eight - Town Meeting Members - Vote for Twenty Four									
Candidate	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Robert L Spadafora Jr *								288	288
Karen Gately Herrick *								264	264
William C Brown *								250	250
Kenneth R Tucci *								229	229
Eileen Shine Litterio *								226	226
Robert I Nordstrand *								215	215
Kendra JG Cooper *								197	197
George B Perry II *								189	189
Kathleen E Golini *								184	184
Margaret W Russell *								184	184
James F Lordan Jr *								182	182
John H Russell *								180	180
Donald J Golini *								179	179
Patricia Jean Lloyd *								176	176
Bruce A Mackenzie *								173	173
William O Finch *								163	163
Olive B Hecht *								162	162
William J Hecht Sr *								160	160
L Scott Davarich *								159	159
Kevin M Sexton *								152	152
Frederick Van Magness *								5	5
Kevin Walsh *								4	4
Stephen Herrick **								3	3
Robert Beckman **								3	3
Mary C Beckman **								3	3
Patrick F Beckman **								3	3
Charles Ehl								2	2
Kevin Leyne								2	2
Corey Collins								2	2
John Dannemiller								1	1
Phyllis Perry								1	1
Suzana Marusic								1	1
Vineet Mehta								1	1
David Ferris								1	1
Neal Driscoll								1	1
Manfredo Litterio								1	1
Frederick Van Magness Jr								1	1
John Kerr								1	1
David Traniello								1	1
Laura McDonagh								1	1
Daniel Ross								1	1
Walter Spaulding								1	1
Other								3	3
Blanks								10,157	10,157
Total								14,112	14,112
* Elected									
** Tie Breaker to be determined by Precinct at Annual Town Meeting									

**Local Election
March 6, 2012
Official Certified Results**

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters

4,157 Total Ballots

24.5% of registered voters cast as follows:

Question 1

Shall the Town of Reading approve the amendment to Article 5 of the Reading Home Rule Charter, proposed by the November 14, 2011 Subsequent Town Meeting, which is summarized below:

Article 5 Town Manager

Section 5 -1 Appointment, Qualifications, Term

This amendment will authorize the Board of Selectmen to enter into a contract with the Town Manager for a term not exceeding three (3) years in length.

Question 1									
	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Yes	437	345	332	389	371	301	416	416	3,007
No	82	54	55	57	62	52	52	72	486
Blanks	133	67	67	76	75	58	88	100	664
Total	652	466	454	522	508	411	556	588	4,157

Question 2

Shall the Town of Reading approve the amendment to Article 7 of the Reading Home Rule Charter, proposed by the November 14, 2011 Subsequent Town Meeting, which is summarized below:

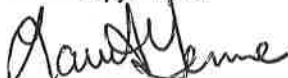
Article 2 - Representative Town Meeting

Section 7-2: Submission of Proposed Budget

This amendment modifies the budget process by requiring the Town Manager to consult with the Board of Selectmen on the Municipal Government portion of the budget before submitting the budget to the Finance Committee.

Question 2									
	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Yes	453	363	364	405	404	324	424	456	3,193
No	61	38	20	50	35	31	42	43	320
Blanks	138	65	70	67	69	56	90	89	644
Total	652	466	454	522	508	411	556	588	4,157

A true copy. Attest:



Laura A Gemme
Town Clerk

ANNUAL TOWN MEETING

Reading Memorial High School

April 23, 2012

Town Clerk, Laura Gemme swore in elected Town Meeting members before their precinct meetings. The Precincts listed below met at 7:00 PM to conduct the following business:

Precinct 1 - With a Quorum present a Precinct Chair and Precinct Clerk were elected: Chair - Thomas Ryan and Clerk - Sheila Mulroy.

Precinct 2 - With a Quorum present a Precinct Chair and Precinct Clerk were elected: Chair - Stephen Crook and Clerk - Denise Iozzo. It was voted to elect Howard Cohen and Kenneth Johnson for the March 6, 2012 election tie-breaker.

Precinct 3 - With a Quorum present a Precinct Chair and Precinct Clerk were elected: Chair - William Downing and Clerk - Nancy Graham.

Precinct 4 - With a Quorum present a Precinct Chair and Precinct Clerk were elected: Chair - Glen Hartzler and Clerk - John O'Neill.

Precinct 5 - With a Quorum present a Precinct Chair and Precinct Clerk were elected: Chair - Angela Binda and Clerk - Charles Adams. It was voted to elect Daniel Knowles for the March 6, 2012 election tie-breaker.

Precinct 6 - With a Quorum present a Precinct Chair and Precinct Clerk were elected: Chair - James Mulvey and Clerk - Greg Selvitelli. It was voted to elect Robert Lynch for the March 6, 2012 election tie-breaker.

Precinct 7 - With a Quorum present a Precinct Chair and Precinct Clerk were elected: Chair - John Carpenter and Clerk - John Segalla.

Precinct 8 - With a Quorum present a Precinct Chair and Precinct Clerk were elected: Chair - William Brown and Clerk - William Hecht. It was voted to elect Robert Beckman and Stephen Herrick for the March 6, 2012 election tie-breaker.

The meeting was called to order by the Moderator, Alan E. Foulds, at 7:38 PM, there being a quorum present. The Invocation was given by Philip B. Pacino, Precinct 5 followed by the Pledge of Allegiance to the Flag. All newly elected and appointed Town Meeting Members were sworn in by the Moderator.

The Warrant was partially read by the Town Clerk, Laura Gemme, when on motion by Stephen Goldy, chair of the Board of Selectmen, it was voted to dispense with further reading of the Warrant except for the Officer's Return, which was read by the Town Clerk.

ARTICLE 2 To hear and act on the reports of the Board of Selectmen, Town Accountant, Treasurer-Collector, Board of Assessors, Director of Public Works, Town Clerk, Tree Warden, Board of Health, School Committee, Contributory Retirement Board, Library Trustees, Municipal Light Board, Finance Committee, Cemetery Trustees, Community Planning & Development Commission, Town Manager and any other Official, Board or Special Committee.

Background: This article appears on the Warrant for all Town Meetings. At this Annual Town Meeting, the following report(s) are anticipated:

**Town of Reading Massachusetts
2012 State of the Town Report
Steve Goldy, Chairman, Reading Board of Selectmen**

Mr. Moderator, Town Meeting members, volunteers, and staff. I am pleased and proud to give this report on behalf of the current and immediate past Boards of Selectmen.

**Let me say at the outset,
The state of the Town of Reading is Excellent!
Reading was recently named America's 4th best suburb!**

Let me quote the article, "Reading is a family-friendly white-collar town. It has better public schools than 98% of all U.S. communities, and its public schools are better than 87% of schools in the rest of the state." This is achieved by the hard work of our dedicated staff, volunteers and elected officials. Thank you to everyone here tonight for making this happen.

2011 marked an important and largely unheralded milestone in the life of this community. 25 years from last April the residents of this community adopted the Reading Home Rule Charter. Our Charter is Reading's constitution that determines the structure of our local government, of which we are all a part. While it's difficult to get really excited about a 33 page documents filled with "whereas' s" and "there-to-fore's", I think you will all agree that the structure of government in Reading has served us well over the past 25 years, and promises to do so for the next 25. We have modified and amended the Charter periodically to keep it current and relevant, but the basic structure of our government remains as it was envisioned by our community.

Volunteers

One of the hallmarks of our local government is that it is built on a balance of professional staff and dedicated volunteers. Tonight, I want to begin a tradition that I hope future Chairmen of the Boards of Selectmen will continue, and that is to present the first annual Board of Selectmen Community Service award. Tonight, I want recognize two outstanding volunteers, both who happen to be members of Town Meeting, and who have dedicated their volunteer careers spanning many years for the betterment of this Town that we cherish.

- First, I ask Bob Nordstrand to come to the podium. Bob completed his 40+ year tenure on the Board of Assessors. This is not a glamorous job; and it is not always a revered position – being the "tax man". But Bob, with his private sector experience, dedication, and sense of fairness has served his community well in this role, and we thank him for his service.
- Second, but not last, Camille Anthony please come to the podium. Camille just completed 18 years as a member and often Chairman of the Board of Selectmen. Prior to her service on the Board, Camille was an energetic 12 year member of the Conservation Commission. Camille always brought an energy, dedication, and creativity to her work as a community volunteer, and I am pleased to recognize and thank her for her service.

Staff

On the staff side of the equation, there have been many changes during 2011. I cannot name them all, but I am going to give you some highlights:

- We were saddened to learn of the passing of Ted McIntire, recently retired DPW Director who had served the community for 38 years.
- Bill Connors, who had worked for the Town in the Technology Division for more than 25 years, also passed away shortly after his retirement in June.
- In late 2011 we learned that Town Accountant Gail LaPointe is retiring. Gail has served ably as Town Accountant for 6 years, and we wish her well in her retirement. I am pleased to welcome Sharon Angstrom as our new Town accountant starting when Gail retires.
- As part of the necessary restructuring of Town government, several senior positions were restructured, and this meant the retirement of Conservation Administrator Fran Fink, and

Technology Administrator Bill Connors. Public Health Administrator Larry Ramdin, and Elder/Human Services Administrator Dawn Folopoulos left Reading for other employment.

Finances

Financial issues are always central to much of the activity of the community, as the still struggling economy on a State and National level had an impact on local finances. While Reading too has been challenged by this recession, the Town's fiscal health is good. This improving Town financial picture is due in large part to our willingness to make difficult decisions. The Town continues to be fiscally conservative. Financial highlights during 2011 were:

- First, Finance and Accounting staff prepared for a debt refinancing for the RMHS and Coolidge projects, and the sale took place in early 2012. The results were full payment by the State of all remaining balances owed on these projects, and a refinancing with interest cost of 1.97%, saving \$400,000 in tax funds, and \$5 million in excluded debt over the remaining life of the debt issues.
- Second, restructuring of some local government services with little if any loss of service to the customers, primarily in the Community Services and technology areas. This resulted in regionalizing the Public Health functions, and right sizing the Elder/Human Services, Plumbing and Gas and Wiring inspections and Conservation functions
- Third, development of a plan for use of one time revenues on one time expenses – mostly for much needed road improvements.
- Fourth, Town Meeting approved the sale of several parcels of Town owned land, some of which should be available for sale shortly;
- And last, receipt of new grants totaling over \$1.6 million for a variety of purposes big and small.

Part of our financial success has to do with the very dedicated staff in all departments - Town, School, and RMLD. These employees work hard, work smart, and worked to do more with less. Our Town has a strong working partnership with employees on many vital issues including health insurance. I want to recognize and appreciate the commitment of our staff in working through recent difficult times.

Economic Development

One element of our financial success is our hard work and successes in economic development, highlights include:

- The location of a number of new businesses in the community
- The beginning of the Oaktree project on Haven Street at the former Atlantic Supermarket site. This mixed use development including underground parking, retail, and 53 apartments has been used by the Massachusetts DHCD as a model of Smart Growth development
- The Reading Commons project by Pulte Homes on the former Addison Wesley Pearson site is now under construction. This Gateway Smart Growth project will eventually contain 425 housing units (all condominiums), including 43 affordable units.
- Calereso's has relocated to an expansive new location on South Main Street, redeveloping a somewhat blighted area at the gateway to Reading.
- E-Cars redeveloped the former Artist Shoppe site on South Main Street.
- The Economic Development Committee has spearheaded the placement of flower baskets, banners and wreaths downtown, using the assets of the Downtown Improvements and Events Trust established by Town Meeting a couple of years ago.
- The Reading Fall Street Faire, in its 3rd year, has fast become a beloved and successful tradition in Reading, celebrated the second Sunday of September.
- Town staff is making progress on implementation of the Licensing & Permitting Software in the Community Services and other departments, which when fully implemented will make tracking and the issuance of development permits and licenses easier. Eventually customers will be able to track the progress of their own permits.

Services

The Town of Reading continues to push for continuous improvement of services to the community. Several efforts are highlighted here but many more examples exist:

- First, the restructuring of local government, primarily in the Community Services Department

- Second, the first full year of the new Rubbish and Recycling program has yielded continuous improvement and expansion of recycling with an effect of saving the taxpayers of Reading well over \$100,000.
- A major highlight with services this past year is the combined Public Health Services with Melrose and Wakefield. The result has been improved service, learning and applying best practices among the 3 communities, and some cost savings. Additional regionalization efforts are being considered in Veterans services, inspectional services, Public Safety dispatch, and Conservation services.

Security and Safety

Following the shooting death of a resident in Reading, and the death of another Reading resident outside of the community, Reading conducted a series of three Community Dialogues this fall centered around the issue of Substance Abuse and Violence Prevention in Reading. A direct outcome of those dialogues is a coordinated approach in the FY 2013 budget to address these issues through education, treatment, and enforcement.

On a discouraging note on the same topic, the Reading Police conducted liquor licensee compliance checks that resulted in the Board of Selectmen suspending five liquor licenses. Each license was suspended for three days for selling alcohol to a minor. We expect that this is an anomaly and will not be repeated.

Infrastructure

Maintaining the infrastructure of the Town continues to be a challenge, but I am happy to report progress on several fronts:

- Significant progress (although never enough) is being made on road reconstruction and improvements, and over the next 3 to 4 fiscal years including FY 2012, an additional infusion of one time revenues is being devoted to road improvements – over \$300,000 in additional funds in FY 12, FY 13, and projected for FY 14.
- The Board of Selectmen approved the Glen Meadow Park Master Plan at the Barrows School. This is part of a continuing commitment to planning our parks and open spaces so that improvements, when donated or funded by tax dollars can be spent on the highest priority projects.
- A Safe Routes to School project was approved which will result in improved pedestrian access to the Parker Middle School and Joshua Eaton School. The State is picking up the \$300,000+ price for the project.
- The grand opening of the Mattera Cabin was held on April 30, 2011. This project was made possible from a sizeable grant that paid for materials; the Northeast Regional Vocational School did the work and Jordan's Furniture and other businesses also made donations.
- The need for a new Cemetery Garage was reviewed during 2011. The Board of Selectmen voted to endorse the further exploration of two sites – Laurel Hill site and Forest Glen site – for the new location of a new Cemetery Garage.
- The Reading Public Library is 116 years old and in need of more space and updating. Reading is first on the wait list for grant funding and if granted, it will need Town Meeting vote and a special election for a debt exclusion for the Town's share of the project cost. We anticipate action on this project in 2012.
- The Board of Selectmen approved the lease agreement for an additional 10 year lease (with up to 2 additional 10 year extensions) between the Town of Reading and the Reading Ice Arena Authority for the operation and management of the Nelson S. Burbank Ice Arena at 15 Symonds Way.

All of this activity, most of it extremely positive, is further evidence that Reading is indeed a community of excellence. You will notice that the one constant throughout these highlights is change. As you can see with some of these activities that change may be uncomfortable but is important to embrace so that our community can move forward. Everyone here tonight, volunteers, staff and elected officials are here to

make Reading the best place to live, not just the fourth. To achieve this we all must embrace change and not always rely on the way it's always been done.

We will debate many articles tonight including the budget. We will also work outside of Town Meeting through our boards, committees and commissions to continuously improve our community. I challenge all of us to embrace change and to really think about the whole community while striving to be number 1!

It's been an amazing year, and more amazing progress is on tap for 2012. We invite you to:

**Share in it.
Be a part of it.
Improve It.**

Thank you very much for your attention.

Finance Committee Report: No report.

Bylaw Committee Report: No report.

Motion to Table Carried

ARTICLE 3 To choose all other necessary Town Officers and Special Committees and determine what instructions shall be given Town Officers and Special Committees, and to see what sum the Town will vote to appropriate by borrowing or transfer from available funds, or otherwise, for the purpose of funding Town Officers and Special Committees to carry out the instructions given to them, or take any other action with respect thereto.

Background: This Article appears on the Warrant of all Town Meetings. There are no known Instructional Motions at this time. The Town Moderator requires that all proposed Instructional Motions be submitted to the Town Clerk in advance so that Town Meeting Members may be "warned" as to the subject of an Instructional Motion in advance of the motion being made. Instructional Motions are normally held until the end of all other business at Town Meeting.

Finance Committee Report: No report.

Bylaw Committee Report: No report.

Motion Carried to Table

ARTICLE 4 James Bonazoli, Board of Selectmen moved to see if the Town will vote to amend the FY 2012 - FY 2021 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter and as previously amended, or take any other action with respect thereto.

Background: This Article is included in every Town Meeting Warrant. Town Bylaws prohibit Town Meeting from approving any Capital Expenditure unless the project is included in the Capital Improvements Program (CIP). Bond ratings agencies also want to ensure that changes to a long-term CIP are adequately described. The following changes are proposed to the 2012-2021 CIP:

General Fund

FY12 increase by \$194,000:

- \$ 70,000 DPW Bulldozer to replace 1971 Bulldozer (was scheduled for FY14)

- \$ 50,000 DPW Highway Pickup with added Hot Box equipment replace 1997 vehicle (was in FY15)
- \$306,000 additional road repairs funded by 40R (replaces \$231,000 road repairs)
- \$ 39,000 additional sidewalk/pedestrian safety - \$25k funded by 40R (replaces \$50,000 sidewalks)
- \$ 10,000 Town facilities – Town Hall carpet

FY13 increase by \$331,250:

- \$ 58,000 Main St. Fire station floor repairs
- \$135,000 Sidewalk Snow Plow (replaces two smaller sidewalk Plows \$78,000 + \$66,750 previously proposed)
- (\$10,000) street signs eliminated
- \$230,000 additional road repairs funded by 40R
- \$ 63,000 additional sidewalk/pedestrian safety funded by 40R

FY14 increase by \$327,000:

- \$500,000 Birch Meadow Pavilion (replaces \$430,000 Imagination Station)
- \$ 45,000 Hunt Park playground (swaps with FY15 \$45,000 Wood End upper playground)
- \$207,000 additional road repairs funded by 40R
- \$ 50,000 additional sidewalk/pedestrian safety funded by 40R

FY15 and beyond:

- Several additions, deletions and changes

Storm Water Enterprise Fund

FY14 decrease by \$10,000:

- \$140,000 Drainage Improvement projects (replaces \$150,000 Saugus River Design & Permitting)

FY15 and beyond:

- Several additions, deletions and changes

Water Enterprise Fund

FY13 decrease by \$336,000:

- (\$276,000) Causeway Road water main moved from FY13 to FY14
- (\$ 60,000) Water conservation program moved to operating budget

FY14 decrease by \$269,000:

- \$276,000 Causeway Road water main moved from FY13
- (\$220,000) Bear Hill Water tank maintenance moved from FY14 to FY15
- (\$ 50,000) Water conservation program moved to operating budget
- (\$225,000) well abandonment moved out to FY16
- (\$ 50,000) well upgrade removed
- (Note that the Ivy St/Belmont St water main remains in FY14 and \$120,000 Larch Lane water main remains in FY15)

FY15 and beyond:

- ♦ Several additions, deletions and changes

Sewer Enterprise Fund

FY13 increase by \$130,000:

- \$130,000 "Poet's Corner" Sewer Main repair

FY14 increase by \$645,000:

- \$ 75,000 for Sewer Main projects
- \$300,000 for West St. Sewer Station repairs
- \$270,000 for Joseph's Way Sewer Station repairs

FY15 and beyond:

- Several additions, deletions and changes – note addition of several Sewer Station repairs

Finance Committee Report - given by Marie Ferrari: The Finance Committee recommends the proposed amendments to the FY 2012 – FY 2021 Capital Improvements Program by a vote of 5-0-0 at their meeting on April 11, 2012.

Bylaw Committee Report: No report.

Presentation given by:

- Bob LeLacheur – See Attached

Motion Carried

ARTICLE 5 John Arena, Board of Selectmen moved to see if the Town will vote to adopt Massachusetts General Laws Chapter 32B, Section 20 which allows the Town to set up an irrevocable trust for "Other Post-Employment Benefits Liabilities" or take any action with respect thereto.

Background: This article will provide for the establishment of a Trust Fund into which the Town may, from time to time, deposit funds which will eventually fully fund the Town's Other Post-Employment Benefits (OPEB) obligation – primarily health insurance for active and retired employees. Accepting Ch32B sec 20 allows a city, town, district, county or municipal lighting plant to establish a separate fund, to be known as an Other Post-Employment Benefits (OPEB) Liability Trust Fund. Funds will be invested and reinvested by the custodian consistent with the prudent investor rule set forth in chapter 203C. This article does not put any money into the trust. It only establishes the trust so that when we want to vote to fund it, there is a mechanism for us to save and invest.

What is OPEB?

The term OPEB refers to all benefits, other than pensions, that retirees receive. For public employees in Massachusetts, OPEB largely consists of retiree health insurance but also includes life insurance. Only employees that are in the Reading Contributory Retirement system and retire immediately following employment by the town of Reading, are entitled to these benefits after meeting certain eligibility requirements, a vesting period and minimum retirement age.

While it is not currently mandatory to fund the OPEB liability, many communities have begun accumulating funds to meet their obligations. Municipalities should be setting aside money to fund the actuarially determined OPEB obligations, payable in the future, that were incurred for active employees during the year. Then, when the employee retires, the trust fund should have accumulated enough money to pay the health insurance for the retiree. As more communities begin to save money in an OPEB Trust, there could eventually be a mandate from the state that funding begin for all communities, similar to what was done in 1988 for funding retirement obligations.

Middlesex League Communities – OPEB Funding Strategies		
Community	Amount Funded	Description / Notes
Arlington	\$4,200,000	Annually appropriate the difference between \$500K and the non-contributory pension appropriation; as non-contributories decrease, funded amount increases. Raised the retiree contribution for health insurance from 10% - 15% and annually appropriate this difference to OPEB. Formally earmarked Medicare D reimbursement to OPEB.
Belmont	\$600,000	The Town is trying to develop a policy for an annual funding mechanism.
Burlington	\$0	Town Meeting warrant article to propose funding OPEB in January. Considering allocating a set % of free cash annually, building an amount into the operating budget annually, or both options in combination.
Lexington	\$1,900,000	Town earmarked Medicare D revenues over the past several years to

		the OPEB trust.
Melrose	\$0	City has no funding protocol to date, most likely would need a Prop 2 1/2 override.
Reading	\$0	Town Meeting warrant article to propose funding OPEB in May.
Stoneham	\$0	Town is aggressively funding the pension liability with a projected fully funded date of 2023. Intent is to pay this off and then begin funding OPEB. Plan to set up trust fund soon and potentially add any one time revenues windfall that might be received.
Wakefield	\$50,000	\$50K funded from the operating budget in FY12. Town recently joined the GIC and is considering allocating some of the savings achieved to OPEB in future budgets.
Watertown	\$1,075,000	Funds set aside in an OPEB Stabilization Fund (i.e. not a legal OPEB trust fund). Town is on an aggressive funding schedule for pension liability (2022) and intends to reallocate pension funding to OPEB upon fully funded status.
Wilmington	\$100,000	The Town set aside token funds in an account still controlled by the town (i.e. not a legal OPEB trust fund). Considering adding to it this year.
Winchester	\$400,000	Most recently contributed \$250K; set up GASB 45 Task Force
Woburn	\$937,086	The City has set aside the Medicare D reimbursement over the past several years in a reserve still controlled by the City (i.e. not a legal OPEB trust fund).

Finance Committee Report: - given by Barry Berman: The Finance Committee recommends the subject matter of this article by a vote of 7-0-0 at their meeting on March 14, 2012. This Article simply establishes a Trust Fund as a first step towards addressing Reading's long term liability and commitment to fund retiree healthcare benefits. Over time this will relieve reliance upon the operating budget and will hopefully one day fully fund our obligation. The next Article will begin to fund the liability, and a second deposit is proposed as part of Article 13 (the FY13 Budget). In the coming months the Finance Committee will meet with Town officials to discuss formalizing a disciplined approach or policy for meeting this long term obligation.

Bylaw Committee Report: No report.

Presentation given by:

- Gail LaPointe – See Attached

After discussion among Town Meeting Members

Motion Carried

ARTICLE 6 Steve Goldy, Board of Selectmen moved to see if the Town will vote to amend one or more of the votes taken under Article 28 of the Warrant of the Annual Town Meeting of April 25, 2011 as amended under Article 5 of the Warrant of the Subsequent Town Meeting of November 14, 2011; and to see what sum the Town will vote to appropriate by borrowing or transfer from available funds, or otherwise, as the result of any such amended votes for the operation of the Town and its government, or take any other action with respect thereto.

Background: The following budget amendments are proposed for the FY12 budget:

General Fund – Wages and Expenses

Account Line	Description	Decrease	Increase
B99	Benefits: - \$500,000 Health Insurance + \$500,000 OPEB Trust Fund - \$50,000 Unemployment - \$35,000 Medicare - \$25,000 Worker Comp. Ins. early payment discount + \$13,000 Pension Assessment – military leave	\$97,000	
C99	Capital: +\$306,000 DPW Roads (from 40R funds*) + \$ 39,000 DPW curb/sidewalk (\$25k from 40R funds*) + \$ 70,000 DPW replace 1971 Bulldozer before FY14 + \$ 50,000 DPW replace 1997 Hwy pickup before FY15 + \$ 10,000 Town Facilities Town Hall carpet		\$475,000
E99	Vocational Education - \$25,000 lower enrollment than anticipated	\$25,000	
H91	Accounting wages + \$5,000 overlap for new Town Accountant		\$5,000
I91	Finance wages - \$37,000 Open clerical position not filled - \$11,000 Technology position open until filled - \$ 7,000 Surplus from combining elections	\$55,000	
I92	Finance expenses + \$24,000 Assessors outsourced property inspection + \$11,000 Technology required by new library system + \$15,000 Technology for Town Hall		\$50,000
K91	Community Services wages - \$ 8,000 Health inspector (now a Melrose employee) - \$ 5,000 Various positions due to staff turnover	\$13,000	
K92	Community Services expenses + \$ 8,000 Health inspector (Melrose employee) + \$15,000 Consultant for housing plan		\$23,000
L91	Library wages + \$1,500 overlap for new librarian		\$1,500
M91	Public Works wages + \$20,000 Overtime caused by storms in the fall of 2011		\$20,000
M92	Public Works expenses + \$15,000 for variety of expenses related to fall storms		\$15,000
M93	Public Works – Snow & Ice	\$38,500	
M94	Public Works – Street Lights	\$10,000	
M95	Public Works Rubbish	\$125,000	
N91	Public Safety wages – Overtime in Fire department		\$95,000
V99	Town Facilities + \$10,000 for Community Service area – handicap accessibility and customer service		\$10,000
	Subtotals	\$363,500	\$694,500
	Move to appropriate \$331,000 for Capital in line C99 and to fund the appropriation by transfer of \$331,000 from the		

	Smart Growth Stabilization fund		
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Finance Committee Report: - given by Barry Berman: The Finance Committee recommends the proposed FY 2012 budget transfers by a vote of 7-0-0 at their meeting on March 28, 2012.

Enterprise Funds

Account Line	Description	Decrease	Increase
W99 and X99	Transfers needed because of a revenue deficit in each fund caused by low water usage in FY12		
	Net from:		
	Water Reserves (W99)		\$200,000
	Sewer Reserves (X99)		\$200,000

Finance Committee Report: - given by Barry Berman: The Finance Committee recommends the proposed FY 2012 budget transfers by a vote of 5-0-0 at their meeting on April 11, 2012.

Bylaw Committee Report: No report.

Presentation given by:

- Bob LeLacheur – See Attached

After discussion among Town Meeting Members

Motion Carried

ARTICLE 7 Ben Tafoya, Board of Selectmen moved to see if the Town will vote to approve the FY 2013 – FY 2022 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter, or take any other action with respect thereto.

Background: Please see the Blue Pages in the Appendix of this Warrant Report for the FY 2012 – FY 2021 Capital improvements Program.

Finance Committee Report: - given by Paula Perry: The Finance Committee voted 7-0 at their March 28, 2012 meeting to recommend the subject matter of this Article. Placing items in the capital improvement program is a prerequisite but does not authorize spending funds towards these items.

Bylaw Committee Report: No report.

Presentation given by:

- Bob LeLacheur – See Attached

After discussion among Town Meeting Members

Motion Carried

ARTICLE 8 James Bonazoli, Board of Selectmen moved to see if the Town will vote to authorize the payment during Fiscal Year 2012 of bills remaining unpaid for previous fiscal years for goods and services actually rendered to the Town, or take any other action with respect thereto.

Background: For the Town to pay bills from a prior year requires a special vote of Town Meeting. The following bills from a prior year are due. This will require a 9/10 vote of Town Meeting.

- The Engineering Division has a bill from June 2011 for copier maintenance. There was confusion between the parent company and the local office as to who would do the billing and how much it would be. Numerous phone calls to both locations finally produced an invoice for \$155 that needs to be paid since the service was provided.
- The DPW has a bill in the amount of \$78.31 in invoices from last fiscal year for auto parts.

Finance Committee Report: - given by Jeanne Borawski: The Finance Committee recommends the subject matter of this article by a vote of 7-0-0 at their meeting on March 14, 2012.

Bylaw Committee Report: No report.

Presentation given by:

- Gail LaPointe – See Attached

4/5 Vote required
Declared unanimous by Moderator
171 Town Meeting Members in Attendance

Motion Carried

ARTICLE 9 John Arena, Board of Selectmen moved to see if the Town will vote to authorize the Board of Selectmen to sell, or exchange, or dispose of, upon such terms and conditions as they may determine, various items of Town tangible property, or take any other action with respect thereto.

Background: Following is a list of surplus vehicles that are scheduled to be disposed of in FY 2012. Town Meeting approval is required for disposition of tangible property with a value of \$5000 or more. It is unlikely that any of these items have a value that exceeds that amount, but to be safe, Town Meeting approval is requested. Disposition could be through trade in, auction, or other sale.

- Fire - 1996 Chevrolet 2500 Pickup Truck
- DPW - 1961 3" Trashmaster centrifugal pump mounted on a 2 wheel trailer, 12 HP Wisconsin engine (not running)
- DPW - 1998 Ford Crown Victoria.
- DPW - 10' Baker snow plows fixed angle.
- DPW - 1973 John Bean Roto-Mist Hydraulic Sprayer.
- DPW - 490 Dynahoe backhoe bucket (30")
- DPW - Lindsay T40HA- Portable Air Compressor (not running)
- DPW - 1970 Brodie 4 Wheel Trailer
- DPW - 1987 Haban Sickle Bar Mower Attachment
- DPW - 1985 Takeuchi Crawler Excavator
- DPW - 1995 Holder 6000 with boom flail and blower
- DPW - 1971 Cat 951B Traxcavator
- DPW - 1997 F250 pickup
- DPW - 2003 Ford F250 pickup
- DPW - 2003 Cat 430D, 5 speed,
- Police - 2 Ford Crown Victoria Police Cruisers
- Police - 2009 Harley Davidson motorcycle
- School - 1996 Chevrolet K2500 Utility body pick-up truck
- Surplus soil/stone material at the Compost Center site

Town Meeting members may be interested in how we disposed of tangible personal property that was authorized last year. Last year we disposed of the following vehicles:

• Ford F250 Pickup (1989)	DPW/Parks	136K miles	Trade-in	\$ 600
• Ford Explorer (2000)	DPW/Engineering	108K miles	Trade-in	\$ 625
• Ford F350 Pickup (1997)	DPW/Water	74K miles	Trade-in	\$ 1000
• Ford F350 Pickup (2006)	DPW/Sewer	90K miles	Trade-in	\$ 2000
• Ford F250 Pickup (2001)	DPW/Sewer	105 miles	Trade-in	\$ 1000
• Elgin Pelican (John Deere)	Sweeper (2005)	2658 hours	Trade-in	\$ 28,000
• Warco Motor Grader (1952)	from FY11 surplus	Sold after 2 postings		\$ 606
• Total				\$ 33,831

Finance Committee Report: - given by Paula Perry: The Finance Committee voted 7-0 at their March 28, 2012 meeting to recommend the subject matter of this Article. This Article authorizes the disposition of surplus property.

Bylaw Committee Report: No report.

Presentation given by:

- Peter Hechenbleikner – See Attached

After discussion among Town Meeting Members

Motion Carried

ARTICLE 10 Steve Goldy, Board of Selectmen moved to see if the Town will vote to authorize revolving funds for certain Town Departments under Massachusetts General Laws, Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2012 with the receipts, as specified, credited to each fund, the purposes, as listed, for which each fund may be spent, the maximum amount that may be spent from each fund for the fiscal year, and the disposition of the balance of each fund at fiscal year-end.

Ben Tafoya, Board of Selectmen moved to dispense of the reading of the motion

Motion to Dispense Carried

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Conservation Commission Consulting Fees	Conservation Commission	Fees as provided for in Reading General Bylaws Section 5.7, Wetlands Protection	Consulting and engineering services for the review of designs and engineering work for the protection of wetlands.	\$25,000	Available for expenditure next year

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Inspection Revolving Fund	Town Manager	Building Plumbing, Wiring, Gas and other permits for the Oaktree, Addison-Wesley/ Pearson and Johnson Woods developments	Legal, oversight and inspection, plan review, initial property appraisals and appeals, Community Services general management, curb sidewalks and pedestrian safety improvements, records archiving and other project related costs.	\$200,000	Available for expenditure next year
Public Health Clinics and Services	Board of Health	Clinic Fees and third party reimbursements	Vaccines, materials for screening clinics and clinical supply costs, medical equipment and supplies, immunizations, educational materials	\$25,000	Available for expenditure next year
Library Materials Replacement	Library Director and Trustees	Charges for lost or damaged Library materials	Acquire Library materials to replace lost or damaged items	\$15,000	Available for expenditure next year
Mattera Cabin Operating	Recreation Administrator	Rental Fees	Utilities and all other maintenance and operating expenses	\$10,000	Available for expenditure next year
Town Forest	Director of Public Works upon the recommendation of the Town Forest Committee	Sale of timber; fees for use of the Town Forest	Planning and Improvements to the Town Forest	\$10,000	Available for expenditure next year

or take any other action with respect thereto.

Background: The revolving funds established in this article are subject to annual renewal by Town Meeting.

- Inspections Revolving Fund - Beginning in 2004, Town Meeting approved the Inspections Revolving Funds as a way to deposit building and other permit fees, and to use them directly for purposes of plan review, inspections, legal expenses, initial property value appraisal and appeals, and general management of the Community Services operations related to three developments as well as for the construction of curbs, sidewalks and pedestrian safety improvements and records archiving and management. The balance available as of February 29 2012 in this fund is \$209,962. There is expected to be little expenditure from these funds for FY 2012, as some of these projects have just been getting started. The balance in the fund is from permit fees from Oaktree, Addison-Wesley/Pearson (now Pulte Homes), and a small amount from Johnson Woods developments.
- Health Clinic Revolving Fund - The Reading Health Division contracts for third party payments for a number of immunizations. The funds are used to augment the influenza vaccine supply from the State

Department of Public Health to insure vaccine for the homebound clients and first responders. The Division also uses these funds for materials for other screening clinics. Clinic client fees are also deposited into this fund to offset vaccine and clinical supply costs. The balance available as of February 29 2012 in this fund is \$44,766. The State has been cutting back on the free flu and other vaccines to be distributed to cities and towns, and the Town therefore needs to purchase extra doses. The necessary amounts used for clinic vaccine, supplies and staff salaries related to the clinics each year directly from the revolving fund is therefore approximately \$25,000.

- **Library Materials Replacement Fund** – During the course of a year, the Library recovers funds from patrons who have lost or damaged books or other materials. Previously, those funds went into the Town's General Fund and at the end of the year went into Free Cash. Once this Revolving Fund was adopted (beginning in FY 2010), those funds recovered from patrons for lost or damaged materials were available directly to the Library for expenditure to purchase replacement materials and processing supplies. The balance available as of February 29 2012 in this fund is \$2,360.
- **Mattera Cabin Operating Fund** – The log cabin on the Mattera conservation land was purchased several years ago, and was recently renovated by the Vocational School. Some of the use is revenue generating, and it is anticipated that over time the site will generate enough funding to pay the operating costs of the cabin – primarily utilities. This Article allows those revenues that are generated to be used directly for the operating expenses of the cabin. The balance available as of February 29, 2012 in this fund is \$2,181.
- **Town Forest Revolving Fund** was created last year. The purpose is to allow revenues from controlled timber harvesting and permit fees to then be spent by the DPW Director upon the recommendation of the Town Forest Committee, on improvements to the Town Forest, including planning efforts. The Town Forest Committee has had a forest stewardship plan created (through a grant) to make recommendations on forest management including controlled timber harvesting. The Committee is in the process of determining how to proceed in beginning this work. In addition, the Town Forest Committee has commissioned a master plan for the Town Forest and adjacent property, and the Master Plan will include recommendations on improvement to the Town Forest. Finally, the Town Forest Committee is beginning to develop policies and regulations on the use of the Town Forest. Since this revolving fund was just created last year, the balance available as of February 29 2012 in this fund is \$0. It is anticipated that timber harvesting on a limited basis will begin in FY 2013, and therefore there will be proceeds in the revolving fund which can be used for the purposes of the trust.

Finance Committee Report: - given by Barry Berman: At its meeting on March 14, 2012 the Finance Committee voted 7-0 to recommend this Article. Revolving Funds are a way to earmark funds to specific Town services. Each has its own revenue source, purpose, and maximum amount which can be spent. Each Fund is subject to annual Town Meeting approval.

Bylaw Committee Report: No report.

Presentation given by:

- Peter Hechenbleikner – See Attached

After discussion among Town Meeting Members

Motion Carried

ARTICLE 11 Ben Tafoya, Board of Selectmen moved to see if the Town will vote to revoke its acceptance of Chapter 468 of the Acts of 1911 which extended the provisions of Civil Service for the Reading Police Department, including the Chief of Police; and further, that this revocation will not affect the Civil Service status of existing personnel in their current positions; or take any other action relating thereto.

Background: This article would prospectively remove the members of the Reading Police Department from Civil Service, and would allow the Town to conduct its own hiring, promotional, and disciplinary process and decisions without being subject to the dictates of a State Agency – the Civil Service Commission.

The Reading Police Department has been in the state Civil Service system since a Town Meeting vote in 1918. At that time there were no unions representing municipal police departments, and very little state legislation or case law dealing with employee rights or responsibilities. This was the era of the famous (or infamous) Boston Police Strike, and Civil Service was looked at nationally as a means of combating corruption in government. Much has changed since that time almost 100 years ago, including the Civil Service system itself.

The Civil Service system (known otherwise as the Department of Human Resources) governs, for agencies coming under their jurisdiction:

- Initial hiring
- Promotions
- Discipline

Initial Hiring: Hiring good qualified people to provide Town Police services is the most important decision that is made in operating a first class Police Department.

Civil Service Process: The initial hiring process is slow, cumbersome, and does not address local needs. It is a state-wide, one size fits all system. There is no local control. The process begins with a state wide exam. Some communities report that they had no or few candidates take the exam this past year. The exam is given in May of the year, and the exam for a community is good for two years. The results of the exam are available in October – five months after the exam is given! When a community has a need to hire a Police Officer, they ask Civil Service for a list of candidates, and the list is sent with the number of people who the community may consider restricted to a formula of $2N+1$ – or 3 candidates if you are hiring one Police Officer (it could be more candidates if there are tie scores). The candidate list will be based solely on the score of a written exam, with the exception that veterans and dependents of Police Officers killed in the line of duty are automatically placed at the top of the list. Additionally, if there are any Police Officers anywhere in the Commonwealth who have been laid off and have not been hired back, they also go to the top of the list for consideration. Candidates are then interviewed and the Appointing Authority (Town Manager) makes a decision and a conditional offer of employment, pending successful completion of a psychological exam (paid for by the Town), a medical exam (paid for by the Town), and a Physical Abilities test administered by Civil Service. If the Town Manager selects anyone but the highest ranked candidate, he must put in writing why a higher ranked (based solely on test scores and/or veteran or other preference) was not selected. This decision is subject to an appeal to the Civil Service Commission by anyone who is aggrieved by the decision.

Problems with Civil Service: The hiring process under Civil Service is very cumbersome and time consuming. To take five months to certify a test in these days is too long – SAT's for example are graded instantaneously. The only criterion that the Town may consider is the test score, Background check, and an interview. For the Town to ask for a list of minorities or women to diversify the employment of the Police Department requires a written admission on the part of the Town of past discrimination. At times, the Town has made a decision not to fill a position because none of the candidates available for selection met the needs of the Town.

Proposed System: If Town Meeting approves this Article, then the Town will be able to develop its own hiring system, as the Town does for all other employees of the Town including DPW, non-union, School employees, RMLD employees etc. There are a number of other communities in the Boston metropolitan area that do not have Civil Service, and the Town would consider conducting periodic joint examinations for entry level Police Officers. Other non-Civil Service Communities are able to advertise and recruit candidates, including minorities and women. An exam would be conducted, and experience in

other communities shows that an exam given on a Saturday can be graded and certified the following Tuesday, and interviews of selected candidates can begin immediately. The cost of the examination is borne by the candidates. The Town may then interview any number of candidates, and the test scores would be considered as one of a number of criteria that can be used in selecting what candidate to interview. The Town can also consider things like education, work Background, and other normal hiring criteria. Under this process, hiring will be able to be conducted expeditiously, and there should never be a circumstance where a position is left vacant (at considerable expense because the workload will then have to be picked up on overtime) because none of the candidates meets the needs of the Town.

Promotions: Promotion of the best candidates to fill leadership positions in the Police Department is critical to carrying out the mission of the Department. Pending Town Meeting approval of this Article, the Town has negotiated with the two unions representing Police Patrol Officers and Police Superior Officers, language that outlines the process of promoting to the ranks of Sergeant and Lieutenant.

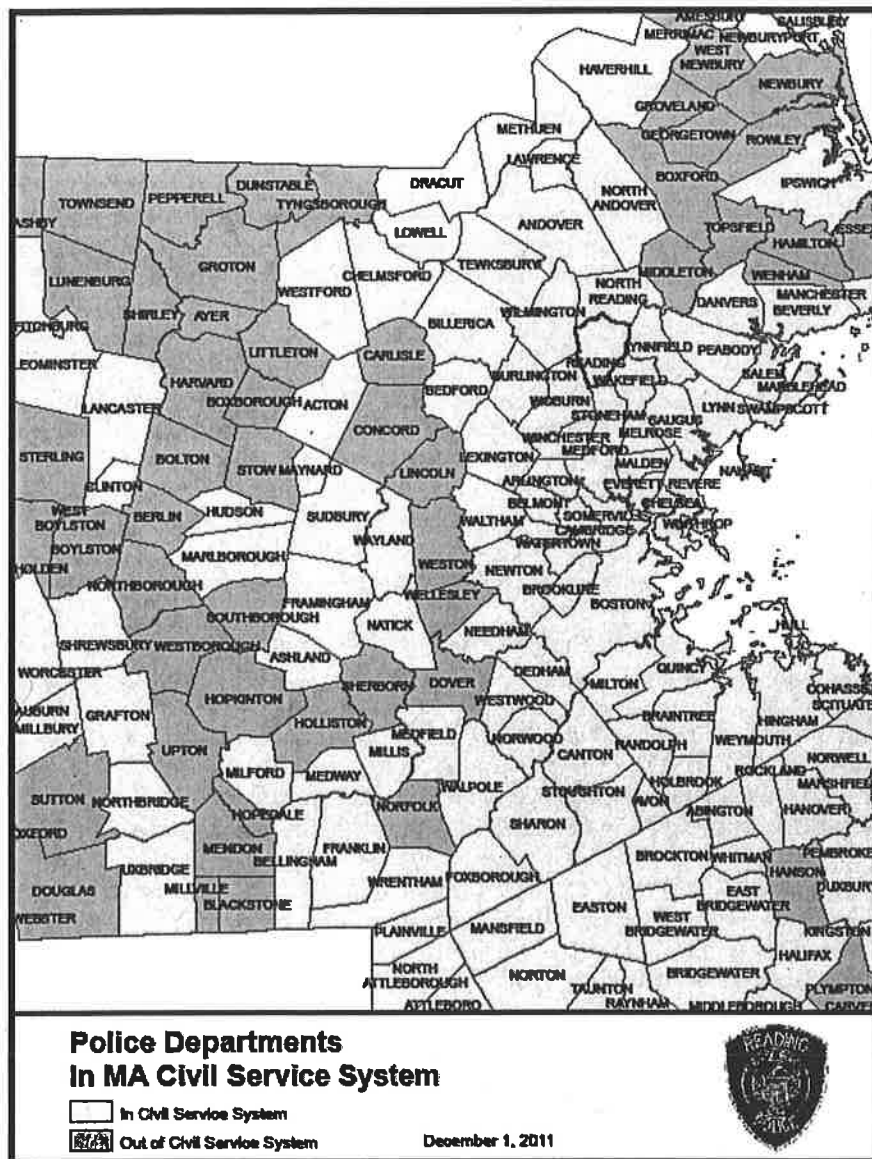
Civil Service Process: Similar to the initial hiring process, the promotional process is slow, cumbersome, and does not address local needs. It is a state-wide, one size fits all system. There is no local control. The process begins with a state wide exam. The exam is given in October of the year, and the exam for a community is good for two years. The results of the exam are available in May of the following year – six months after the exam is given! When a community has a need to promote, they take the requisite number of names from the top of the list of candidates, restricted to a formula of $2N+1$ – or 3 candidates if you are promoting one Sergeant or Lieutenant (it could be more candidates if there are tie scores). The candidate list will be based solely on the score on a written exam. Candidates are then interviewed and the Appointing Authority (Town Manager) makes a decision. If the Town Manager selects anyone but the highest ranked candidate, he must put in writing why a higher ranked (based solely on test scores) candidate was not selected. This decision is subject to an appeal to the Civil Service Commission by anyone who is aggrieved by the decision.

Problems with Civil Service: The promotional process under Civil Service is very cumbersome and time consuming. To take six months to certify a test in these days is not necessary – SAT's for example are graded instantaneously. At times, the Town has made a decision not to fill a position because none of the candidates available for selection met the needs of the Town.

Proposed System: If Town Meeting approves this article, then the Town has developed its own promotional system, as the Town does for all other employees of the Town. This system is embodied in the two union contracts which have been approved subject to Town Meeting approving this article. In addition to alternatives to traditional testing (including conducting an Assessment Center) the Town may consider additional criteria to determine the most qualified candidate for a position. These include: job related experience; performance evaluation in his/her present position (including contributions to the department); supervisory evaluation of the employee's promotion potential; score on promotional exam; sick leave record; formal education; training and education through career development; disciplinary record; philosophical agreement with the Town's and department's vision and goals; work ethic; and initiative. Part of the cost of the promotional examination process is borne by the candidates, as is the case currently under Civil Service. Following the examination or Assessment Center, the Town may then conduct interviews of all candidates and may consider the other criteria listed above in making a selection. Promotions may then be handled expeditiously, and there should never be a circumstance where a position is vacant for any length of time (at considerable expense because the workload will then have to be picked up on overtime). In the past the Town has made a decision not to fill a position because none of the candidates available for selection met the needs of the Town.

Discipline: The involvement of Civil Service in the disciplinary process of Police Officers of any rank is seldom used in Reading. Contractually, an Officer who is subject to discipline and chooses to appeal their discipline has to choose to either utilize the process under Civil Service, or utilize the process under the Collective Bargaining Agreement – they cannot process an appeal under both. Nobody in the Police Department can remember the last time a disciplinary action on the local level was appealed to Civil Service. The few times that a disciplinary action has been appealed, it has gone through the grievance and arbitration procedure contained in the Collective Bargaining Agreements. The grievance and

arbitration process is less expensive, quicker, and less subject to the arbitrary decisions of the Civil service Commission.



Other Questions/Issues

- What is the status of current employee's vis-à-vis Civil Service? As long as a current employee retains their current rank, they will still be covered by Civil service. A Police patrol Officer who is currently an employee as of July 1, 2012, will remain under Civil Service as long as they are employed as a Police Patrol Officer. However, if that employee is promoted to the rank of Sergeant, the employee as a Sergeant will no longer be covered by Civil Service
- What happens to Police Patrol Officers who have recently taken the Civil Service Exam for promotion to Sergeant? The Town has agreed that those officers who have taken and passed the recent (October 2012) Civil Service exam for promotion to Sergeant will be considered on an equal footing with those who pass the Town exam for the position to be given next fall. The new Sergeant's position will not be under Civil Service.

Finance Committee Report: No report.

Bylaw Committee Report: - given by Phil Pacino: The Bylaw Committee reviewed with the both the Police Chief and the Town Manager the reasons for this article. The reasons are presented above. The Bylaw Committee concurs with those reasons and the actions resulting from this article. The Bylaw Committee recommends the subject matter of this article by a vote of 4-0-0.

Presentations given by:

- Peter Hechenbleikner – See Attached
- James Cormier – See Attached
- Richard Abate – See Attached
- Chris Picco – See Attached

After extensive discussion a motion was made by Elaine Webb, Precinct 1 to move the question.

2/3 Vote Required
144 Voted in the affirmative
15 Voted in the negative
171 Town Meeting Members in Attendance

Motion to Move Question Carried

Main Motion Carried

ARTICLE 12 Tom Connery, Precinct 1 moved to see if the Town will vote to accept a gift to establish the Friends of Reading Football Scholarship Fund to be administered by the Town of Reading Commissioner of Trust Funds in accordance with the wishes of the donors, or take any other action with respect thereto.

Background: This article requests that the Town establish the Friends of Reading Football Scholarship Fund to be administered by the Town of Reading Commissioner of Trust Funds in the initial amount of \$5,000.00. Any subsequent gifts to the Friends of Reading Football Scholarship Fund and interest earned shall be added to the principal of the Fund and distributed equally on an annual basis as outlined below. The Friends of Reading Football is a duly organized 501.c.3 charitable organization as recognized by the Internal Revenue Service and is designated as a non-profit entity by the Commonwealth of Massachusetts, Office of the Attorney General. Furthermore, the Friends of Reading Football is in compliance with the Administrative Services Procedures required by the Reading Superintendent of Schools.

The principal balance of the Friends of Reading Football Scholarship shall be expended for the purpose of awarding two annual scholarships to Reading Memorial High School Seniors who have been members in good standing for at least two years in the football program, one of which must be the applicant's senior year. The first scholarships will be awarded in June of 2012.

Two annual awards of \$250 each, plus accrued interest, will be granted each year. A roster of at least three, and not more than five, qualified applicants will be nominated by the Reading Memorial High School varsity football coaching staff. A list of selected nominees will be referred to the Reading Memorial High School Assistant Principals who will make two final selections from the list of nominees.

The criteria for selection of the recipients of the scholarships shall include the following:

1. The students shall be seniors who have been members of the Reading Memorial High School Varsity football program in good standing for at least two years, of which one year must be the student's senior year;
2. The students shall have a record of demonstrated leadership and good moral character;
3. The students shall have a record of good academic performance;
4. The student shall submit a written statement to the Head Varsity Coach expressing their interest and eligibility for the scholarship.

The scholarship shall be awarded annually during the Reading Memorial High School commencement or awards ceremony.

Finance Committee Report: No report.

Bylaw Committee Report: No report.

Presentation given by:

- Tom Connery – See Attached

After discussion among Town Meeting Members

Motion Carried

On motion by Dan Ensminger, Precinct 7, it was voted that this Annual Town Meeting stand adjourned to meet at 7:30 PM at the Reading Memorial High School Auditorium, on Thursday, April 26, 2012.

Meeting adjourned at 10:33 PM with 171 Town Meeting Members in attendance.

A true copy Attest:

Laura A Gemme
Town Clerk

ANNUAL TOWN MEETING

Reading Memorial High School

April 26, 2012

The meeting was called to order by the Moderator, Alan E. Foulds, at 7:36 PM, there being a quorum present. The meeting began with the Pledge of Allegiance to the Flag. All newly elected and appointed Town Meeting Members were sworn in by the Moderator.

ARTICLE 13 Barry Berman of the Finance Committee moved that the Town raise by borrowing, or from the tax levy, or transfer from available funds, and appropriate the sum of: **\$87,852,933**

for the operation of the Town and its Government for Fiscal Year 2013, beginning July 1, 2012.

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item B99 (Benefits): \$13,329,635**

to be provided as follows:

Line B99 – \$1,000,000 from Free Cash and the balance from property taxes, State aid and non-property tax local receipts.

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item C99 (Capital): \$1,937,700**

to be provided as follows:

Line C99 – \$250,000 from the Sale of Real Estate Fund, \$368,000 from the Smart Growth 40R Stabilization Fund and the balance from property taxes, State aid and non-property tax local receipts

Discussion among Town Meeting Members

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item D99 (Debt): \$4,539,575**

to be provided as follows:

Line D99 - \$215,828 from MSBA construction grant and the balance from property taxes, State aid and non-property tax local receipts

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item E99 (Vocational Education): \$325,000**

to be provided as follows:

Line E99 – from property taxes, State aid and non-property tax local receipts

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item G91 (Town Administration Wages): \$217,279 and Line Item G92 (Town Administration Expenses): \$491,350**

to be provided as follows:

Lines G91 and G92 – from property taxes, State aid and non-property tax local receipts

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item H91 (Accounting Wages): \$159,709 and Line Item H92 (Accounting Expenses): \$1,100**

to be provided as follows:

Lines H91 and H92 – from property taxes, State aid and non-property tax local receipts

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item I91 (Finance Wages): \$1,108,433 and Line Item I92 (Finance Expenses): \$511,350**

to be provided as follows:

Lines I91 and I92 – from property taxes, State aid and non-property tax local receipts

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item J92 (FINCOM Reserve Fund): \$150,000**

to be provided as follows:

Line J92 – from property taxes, State aid and non-property tax local receipts

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item K91 (Community Services Wages): \$729,282 and Line Item K92 (Community Services Expenses): \$415,050**

to be provided as follows:

Lines K91 and K92 – from property taxes, State aid and non-property tax local receipts

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item L91 (Library Wages): \$1,007,579 and Line Item L92 (Library Expenses): \$283,000**

to be provided as follows:

Lines L91 and L92 – from property taxes, State aid and non-property tax local receipts

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item M91 (Public Works Wages): \$2,348,947 and Line Item M92 (Public Works Expenses): \$805,400**

to be provided as follows:

Line M91 – \$100,000 from the Reading Ice Arena to support Recreation wages; Line M92 – \$25,000 from the Sale of Cemetery lots to support Cemetery expenses; and the balance of Lines M91 and M92 from property taxes, State aid and non-property tax local receipts

Discussion among Town Meeting Members

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item M93 (Public Works - Snow & Ice Expenses):**

\$600,000; Line Item M94 (Public Works – Street Lighting Expenses):

\$200,000 and Line Item M95 (Public Works – Rubbish Collection & Disposal Expenses): \$1,500,000

to be provided as follows:

Lines M93, M94 and M95 – from property taxes, State aid and non-property tax local receipts

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item N91 (Public Safety Wages): \$8,092,552 and Line Item N92 (Public Safety Expenses): \$377,925**

to be provided as follows:

Lines N91 and N92 – from property taxes, State aid and non-property tax local receipts

Discussion among Town Meeting Members

Bill Brown, Precinct 8 made a motion to change \$8,092,552 to \$8,024,202 lowering by \$68,350

Motion to Amend Does Not Carry

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item U99 (School Department): \$37,053,287**

to be provided as follows:

Line U99 – from property taxes, State aid and non-property tax local receipts

Discussion among Town Meeting Members

Jack Downing, Precinct 7 made a motion to change \$37,053,287 to \$37,003,287 lowering by \$50,000

Motion to Amend Does Not Carry

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item V99 (Town Facilities): \$704,166**

to be provided as follows:

Line V99 – from property taxes, State aid and non-property tax local receipts

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item W99 (Water Enterprise Fund): \$5,067,954**

to be provided as follows:

Lines W99 – \$150,000 from Water Reserves and the balance from user fees and other charges

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item X99 (Sewer Enterprise Fund): \$5,508,348**

to be provided as follows:

Line X99 – \$150,000 from Sewer Reserves and the balance from user fees and other charges

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget as presented for **Line Item Y99 (Storm Water Enterprise Fund): \$388,312**

to be provided as follows:

Line Y99 – \$25,000 from Storm Water Reserves and the balance from user fees and other charges

Barry Berman of the Finance Committee moved that the Town approve and appropriate the proposed FY 2013 Budget, exclusive of State and county assessments: \$87,852,933 (proposed)

- Representing the total of all motions made under **ARTICLE 13** as amended
- Funds are to be provided as set forth in said motions as amended

Finance Committee Report: - given by Barry Berman of the Finance Committee budget votes for each line item from their meeting on March 28, 2012 are shown in the budget section. All lines were approved by a vote of 7-0-0. **On April 11, 2012 FINCOM voted a revised figure for the Water budget by a vote of 5-0-0.**

Bylaw Committee Report: No report.

Presentation given by:

- Bob LeLacheur - See Attached
- John Doherty - See Attached

Motion Carried as Proposed

On motion by Bill Brown, Precinct 8, it was voted that this Annual Town Meeting stand adjourned to meet at 7:30 PM at the Reading Memorial High School Auditorium, on Monday, April 30, 2012.

Meeting adjourned at 10:09 PM with 158 Town Meeting Members in attendance.

A true copy Attest:

A handwritten signature in black ink, appearing to read "Laura A Gemme". The signature is fluid and cursive, with the first name "Laura" and last name "Gemme" clearly distinguishable.

Laura A Gemme
Town Clerk

ANNUAL TOWN MEETING

Reading Memorial High School

April 30, 2012

The meeting was called to order by the Moderator, Alan E. Foulds, at 7:36 PM, there being a quorum present. The meeting began with the Pledge of Allegiance to the Flag. All newly elected and appointed Town Meeting Members were sworn in by the Moderator.

Motion made by Erin Calvo-Bacci to take Article 21 out of order

Motion to move out of order Carried

ARTICLE 21 Erin Calvo-Bacci moved to Indefinitely Postpone Article 21

Motion to Indefinitely Postpone Carried

ARTICLE 14 James Bonazoli, Board of Selectmen moved to see what sum the Town will vote to appropriate by borrowing, whether in anticipation of reimbursement from the State under Chapter 44, Section 6, Massachusetts General Laws, or pursuant to any other enabling authority or from the tax levy, or transfer from available funds, or otherwise, for highway projects in accordance with Chapter 90, Massachusetts General Laws, or take any other action with respect thereto.

Background: The purpose of this Article is to make Chapter 90 funds for road improvements available to the Town for expenditure. The Article authorizes expenditures upon receipt of the grant. The FY 2013 Chapter 90 allocation is anticipated to be \$603,012, slightly more than the \$597,663 for FY 2012. At the time of printing of this warrant, the state was just beginning to approve a multi-year Chapter 90 bond authorization, and the total state-wide FY 2013 appropriation in the proposed bond bill is expected to be \$200 million, the same as for FY 2012.

Finance Committee Report - given by Mark Dockser: At its March 28, 2012 meeting, the Finance Committee voted to recommend the subject matter of Article 14 by a vote of 7-0-0. We vote at town meeting each year to approve the acceptance and use of these funds for road improvements from the State, the only issue being the precise sum of money available from the state. Though the final allocation for FY13 for Reading was not known as of this vote, barring any new or different contingencies placed by the State on the funds, the committee believes that that the town should accept whatever level of funding is offered. **On April 11, 2012 the Finance Committee voted 5-0-0 to recommend the House budget figure of \$603,012.**

Bylaw Committee Report: No report.

Presentation given by:

- George Zambouras - See Attached

After discussion among Town Meeting Members

Motion Carried

ARTICLE 15 Ben Tafoya, Board of Selectmen moved to Indefinitely Postpone Article 15

Motion to Indefinitely Postpone Carried

ARTICLE 16 John Arena, Board of Selectmen moved to see if the Town will vote to authorize the Board of Selectmen to grant an easement to Northern Bank and Trust for placement of an ATM machine in the Town owned parking area between Woburn Street and Haven Street in accordance with a plan titled "ATM Kiosk Easement Exhibit Plan", dated Feb, 24, 2012 prepared by Allen & Major Associates, Inc.; and, further, to see if the Town will vote to authorize the Board of Selectmen to acquire an easement for driveway purposes between Haven Street and the parking area from Northern Bank and Trust in accordance with a plan titled "Access Easement Exhibit Plan", dated Feb, 24, 2012 prepared by Allen & Major Associates, Inc.;

or take any other action related thereto.

Background: The CPDC is considering site plan approval for the renovations to the MF Charles building. At its meeting on April 2, 2012 the CPDC approved the site plan, leaving 2 options for the ATM kiosk depending upon Town Meeting action on this article.

The project to redevelop this property has been long awaited since the building was sold about five years ago. One of the opportunities which presents itself is the establishment of two way vehicular access from Haven Street, an improvement to the circulation to the municipal parking lot which has been envisioned in the Master Plan and parking studies for a number of years. This is a unique one time opportunity to establish that access as part of the planning approval for his project.

The renovation of the MF Charles building will include a new bank – the owner of the building also owns Northern Bank and Trust. In lieu of the drive through window that has existed along the driveway on the side of the MF Charles building for years, the owner is willing to give the Town an easement over the entire 24 foot driveway, and in exchange the bank would receive an access easement over the municipal parking lot and for the ATM kiosk.

The plan below shows both easements. This can be accomplished with no loss of parking, and with full use of the municipal parking lot (the bank drive-up kiosk has a "bypass" lane for through traffic). An added benefit to the project will be site lighting and some much needed landscaping within the municipal lot.



Finance Committee Report: No report.

Bylaw Committee Report: No report.

Bill Brown, Precinct 8 moved to Indefinitely Postpone Article 16

2/3 Vote required
Declared unanimous by Moderator
161 Town Meeting Members in Attendance

Motion to Indefinitely Postpone Article 16 Carried

ARTICLE 17 Steve Goldy, Board of Selectmen moved to see if the Town will vote to authorize the Board of Selectmen, upon approval of the Conservation Commission, to obtain a utility easement for the construction, maintenance, repair and operation of utilities over, across and upon a certain portion of land in the Town of Reading held by it for conservation purposes pursuant to a plan entitled "Belmont Street to Ivy Street Utility Easement" prepared by the Department of Public Works Engineering Division and dated March 5, 2012;

James Bonazoli, Board of Selectmen moved to dispense with the reading of the motion

Motion to Dispense Carried

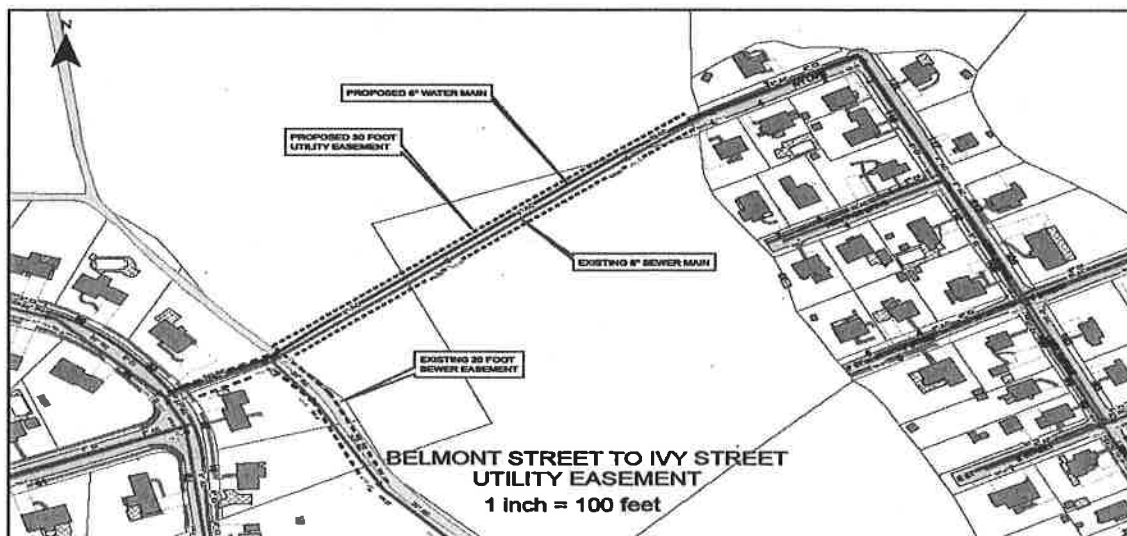
and, further, to see if the Town will authorize, empower and direct the Selectmen and the Conservation Commission, to execute, acknowledge and deliver in the name and on behalf of said Town such deeds or other instruments as may be necessary or proper in connection therewith, such deeds or other

instruments to be in such form and upon such terms as the Selectmen may deem proper; and, further, that the Town authorize the Selectmen and Conservation Commission to petition the General Court to adopt such legislation as may be necessary to carry out the purpose of this vote, or take any other action with respect thereto.

Background: Over the past several years the Town has continuously made strides to upgrade and rehabilitate the Town's water distribution system as recommended in the 2001 study, performed by Weston and Sampson Engineering. These upgrades help to address poor fire flows, water quality and pressure loss due to undersized or deteriorated mains. In the study the Libby Avenue area was found to have deficient fire flows, providing only 20% of the recommend fire flows. The installation of a new water main connecting the end of Ivy Street to Belmont Street will eliminate a major dead end in the water distribution system; and improve fire flows and water quality to the area.

The proposed 8" water main looping Ivy Street to Belmont Street will be cement lined ductile iron pipe approximately 850 feet in length. Approximately 700 feet of the proposed water main will be installed through Town property paralleling the current sewer main which was installed in 1976. The property through which the easement is needed consists of 2 parcels that were taken by the Town for conservation purposes in 1972 and 1974. During a deed research of the Town owned land it was determined that no rights have been reserved for a utility easement.

The purpose of this article is to authorize the Selectmen to create a thirty (30) foot wide utility easement to permit the proper installation, maintenance and repair of the Town's utilities over conservation controlled Town owned land. The Article will further authorize the Town to request the General Court to adopt legislation as may be necessary to carry out the authorization of the easement.



Finance Committee Report: No report.

Bylaw Committee Report: No report.

2/3 Counted Vote Required
146 Voted in the affirmative
0 Voted in the negative
161 Town Meeting Members in Attendance

Motion Carried

ARTICLE 18 Motion made by John Lippitt, Precinct 7 to see if the Town will adopt the following resolution:

We, the voters at the 2012 Annual Town Meeting of the Town of Reading, affirm our belief that the First Amendment to the United States Constitution was designed to protect the free speech rights of people, not corporations.

The United States Supreme Court's 2010 decision in Citizens United v. Federal Election Commission overturned longstanding precedent prohibiting corporations and unions from spending their general treasury funds in public elections. We believe that the ruling created a serious and direct threat to our democracy and the conduct of free and fair elections, by permitting corporations and others to drown out the voices of ordinary persons. Already we have seen our political process flooded with newly unleashed corporate and other money, resulting in historically unprecedented campaign expenditures.

The people of the United States have previously used the Constitutional Amendment process to correct decisions of the United States Supreme Court that invade or invalidate democratic institutions, including elections.

NOW, THEREFORE, BE IT RESOLVED THAT WE, THE VOTERS AT THE 2012 ANNUAL TOWN MEETING OF THE TOWN OF READING, CALL UPON THE UNITED STATES CONGRESS TO PASS AND SEND TO THE STATES FOR RATIFICATION A CONSTITUTIONAL AMENDMENT TO RESTORE THE FIRST AMENDMENT AND FAIR ELECTIONS TO THE PEOPLE, AND FURTHER, WE CALL UPON THE MASSACHUSETTS GENERAL COURT TO PASS ONE OR MORE RESOLUTIONS ASKING FOR THOSE ACTIONS.

The Town Clerk of the Town of Reading shall send a copy of this resolution to the state and federal representatives and senators serving the Town of Reading, and to the Governor of the Commonwealth of Massachusetts and the President of the United States, and take any other appropriate action relative thereto.

Or take any other action with respect thereto

Background: A little more than two years ago, the U.S. Supreme Court made a precedent-breaking decision. In a five-to-four vote on a case called *Citizens United v. Federal Election Commission* (*Citizens United* for short), the court ruled that corporations and unions have the same rights to freedom of speech as U.S. citizens under the Bill of Rights. The court expanded on previous rulings that said that spending money to deliver a political message counts as speech. It held, for the first time, that corporations have the right to spend unlimited corporate funds to support or oppose candidates for elected office. This overturned the 1907 law banning corporate contributions signed by President Theodore Roosevelt, who said, "All contributions by corporations to any political committee or for any political purpose should be forbidden by law."

WHAT DOES THIS TOWN MEETING RESOLUTION DO?

The resolution presented here to Town Meeting states that:

- Free speech rights belong to people not corporations or other organizations, and
- Unlimited spending by corporations and others in our elections presents a real danger to our democracy because corporations and others with wealth can drown out the voices and interests of all of us ordinary citizens.

This resolution calls:

- On Congress to pass an amendment to our Constitution to clearly establish that money is not the same as speech, and that human beings, not corporations, are entitled to constitutional rights such as free speech, and
- On our State Legislature to pass a resolution supporting a Constitutional amendment. Such a resolution, Senate Bill 772, is being considered by the Legislature. It had a hearing on February 28th and a committee vote is expected to have occurred by March 21.

WHO ELSE SUPPORTS OVERTURNING CITIZENS UNITED?

Fifteen cities or towns in Massachusetts, including Boston, and hundreds of communities across the United States have passed similar resolutions calling for a Constitutional amendment to overturn Citizens United, including Los Angeles, New York, and the 55 VT towns that passed resolutions on March 6. At least two state legislatures (HI & NM) have passed such resolutions and a number of state legislatures are considering them.

Citizens all across the country have concluded that unlimited campaign spending by corporations and wealthy individuals means that our elections will not be a fair fight. Democracy's foundation, *government of, by, and for the People*, is undermined by the influence of money on elections and government decision-making. If, as *Citizens United* asserts, money equals speech, then those with more money have louder voices and those with no money have no voice. This flies in the face of the principles of our democracy and the Constitution that our founders wrote.

Over 200 groups have formed a loose coalition working to overturn *Citizens United*, including Move to Amend, Common Cause, the National Lawyers Guild, the Unitarian Universalist Association, and Veterans for Peace. The Montana Supreme Court upheld the state's 1912 law limiting corporate spending in campaigns, despite a lower court ruling that *Citizens United* had invalidated the law in question. The 2nd U.S. Circuit Court of Appeals similarly upheld a New York City law that places limits on political contributions.

WHY IS OVERTURNING THE CITIZENS UNITED DECISION SO IMPORTANT?

With the 2012 election season underway, the consequences of the *Citizens United* decision are becoming clearer by the day. Some wealthy individuals and corporations are already contributing millions of dollars to Super PACs, which have already spent over \$40 million in the Republican presidential primaries. The amount spent to date is a drop in the bucket compared to the hundreds of millions of dollars that these Super PACs have stated they will raise and spend during the entire 2012 election period.

The unleashing of corporate funds has dramatically expanded possible election spending and, therefore, concerns that elected officials will be more responsive to contributors and their money than to constituents. The Open Secrets project at the Center for Responsive Politics calculated that even before *Citizens United* roughly 72% (\$3.4 billion) of all campaign contributions in 2007–2010 came from the business sector (individuals and organizations), with labor contributing 4% (\$172 million), ideological groups 7% (\$308 million), and others 17%. Now we can expect even greater business sector dominance.

Finance Committee Report: No report.

Bylaw Committee Report: No report.

Presentation given by:

- John Lippitt – See Attached

After extensive discussion a motion was made by Elaine Webb, Precinct 1 to move the question.

2/3 Vote Required
130 Voted in the affirmative
18 Voted in the negative
161 Town Meeting Members in Attendance

Motion to Move Question Carried

Fred Van Magness, Precinct 8 moved to Indefinitely Postpone Article 18

2/3 Vote required
Declared Unanimous by Moderator
161 Town Meeting Members in Attendance

Question of count made by Thomas Ryan, Precinct 1

2/3 Counted Vote
101 Voted in the affirmative
41 Voted in the negative
161 Town Meeting Members in Attendance

Motion to Indefinitely Postpone Article 18 Does Not Carry

Main Motion Carried

ARTICLE 19 Ben Tafoya, Board of Selectmen moved to see if the Town will vote to approve an Affordable Housing Trust Fund Allocation Plan pursuant to Chapter 140 of the Acts of 2001 entitled "AN ACT AUTHORIZING THE TOWN OF READING TO ESTABLISH AN AFFORDABLE HOUSING TRUST FUND", or take any other action with respect thereto.

Background: The purpose of this Article is to approve an Affordable Housing Trust Fund Allocation Plan approved by the Board of Selectmen. Chapter 140 of the Acts of 2001 authorized the Town of Reading to establish an Affordable Housing Trust Fund (AHTF).

- "The Town of Reading may establish a separate fund to be known as the Affordable Housing Trust Fund for the purpose of creating or preserving affordable housing ... for the purpose of creating, maintaining or operating affordable housing."
- The AHTF may "develop new or rehabilitate existing dwelling units for purchase or rental by low and moderate income housing purchasers or tenants;"
- "Expenditures shall follow an allocation plan submitted by the Board of Selectmen annually to Town Meeting at the Annual Town Meeting, and approved by Town Meeting."
- "all expenditures from the fund, . . . shall be in accordance with the allocation plan and approved by a majority vote of the full combined memberships of the Board of Selectmen and the Reading Housing Authority."

The purpose of the Affordable Housing Allocation Plan is to provide a framework for the Town to expend funds on affordable housing. The current balance is \$259,077. Funds have been accumulated over the years as funds were secured for the purpose by the CPDC, and funds deposited in one instance when an existing affordable unit was no longer able to be kept affordable after efforts were made to do so. There are no Town tax generated funds in the AHTF. The only expenditure to date from the AHTF is an amount of \$200,000 for Oaktree development to provide an additional 3 affordable housing units. That sum is in escrow and by the fall of 2012 the Town will know whether any or all of it has been utilized. Pending that information, the Board of Selectmen has indicated that it may ask to transfer funds from the 40R payments to the Affordable Housing Trust Fund next fall.

Under Article 6 of this Annual Town Meeting, approval was received for hiring a consultant to update the Town's Housing Plan, including the 5 year "Housing Production Plan". This effort is important as a

defense against unfriendly 40B developments in the community, and requires the Town to develop a phased plan to produce housing to reach the 10% threshold as required by the 40B statute. As part of these planning efforts, the Town will evaluate how the AHTF can best be used to support the "Planned Production" goals of the Housing Plan, and it is expected that at the 2013 Annual Town Meeting the Affordable Housing Allocation Plan will be fleshed out in better detail, although it is important that the plan remain as flexible as possible to enable the Town to respond to opportunities as they arise.

An additional initiative that is being considered is to join a regional consortium which would assist the member communities in monitoring and administering the Town's responsibilities for the various affordable housing developments that exist and will be developed in the future, to maintain the affordable units that the Town has worked so hard to create. This would be a potential use of the "Administrative" monies designated by the Affordable Housing Allocation Plan.

At its meeting on March 27, 2012, the Board of Selectmen voted to approve the following as the FY 2013 Affordable Housing Trust Fund Allocation Plan:

**Affordable Housing Trust Fund Allocation Plan
March 27, 2012**

Pursuant to Article 19 of the 2012 Annual Town Meeting, an Affordable Housing Trust Fund Allocation Plan for the Fiscal Year 2013 in accordance with the provisions of Chapter 140 of the Acts of 2001 is as follows:

Available Balance – <u>Unrestricted Funds</u> :	\$ 259,077
Available Balance – <u>Restricted Funds</u>	\$ 0

Unrestricted funds shall be used for the following purposes:

\$5,000 or a maximum of 2% for administration of Affordable Housing

Remainder for constructing affordable housing (including loan and grant programs);
or for maintaining and improving affordability of existing housing stock; or
for the purchase of existing housing stock to add it to or maintain it as a
part of the existing affordable housing inventory

Finance Committee Report - given by Mark Dockser: At its March 14, 2012 meeting, the Finance Committee voted to recommend the subject matter of Article 19 by a vote of 7-0. The allocation plan though sparse in detail will be more fully developed in the upcoming fiscal year with the assistance of a consultant hired by the Board of Selectmen and the Reading Housing Authority to develop a more complete Housing Plan for the town. We believe that in order to support the goals of the Affordable Housing Trust Fund, the allocation plan must be flexible and allow for entering into agreements during the upcoming fiscal year as opportunities arise. We believe that the provisions of the AHTF provide a fiscally responsible mechanism for approving the use of funds, with a majority vote of the combined memberships of the Board of Selectmen and Reading Housing Authority required for all expenditures.

Bylaw Committee Report: No report.

Motion Carried

ARTICLE 20 John Arena, Board of Selectmen moved to see if the Town will vote to add section 5.4 to the Town of Reading General Bylaw as follows

Steve Goldy, Board of Selectmen moved to dispense with the reading of the motion

Motion to Dispense Carried

5.4 Criminal History Check Authorization

5.4.1 Fingerprint Based Criminal History checks The Police Department shall, as authorized by Massachusetts General Laws Chapter 6, Section 172 B 1/2, conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for the following licenses:

- Hawking and Peddling or other Door-to-Door Salespeople, (Police Chief)
- Manager of Alcoholic Beverage License (Board of Selectmen)
- Owner or Operator of Public Conveyance (Board of Selectmen)
- Dealer of Second-hand Articles (Board of Selectmen)
- Hackney Drivers, (Board of Selectmen)
- Ice Cream Truck Vendors (Board of Health)

5.4.1.1 Notification At the time of fingerprinting, the Police Department shall notify the individual fingerprinted that the fingerprints will be used to check the individual's criminal history records. The Police Chief shall periodically check with the Executive Office of Public Safety and Security ("EOPSS") which has issued an Informational Bulletin which explains the requirements for town by-laws and the procedures for obtaining criminal history information, to see if there have been any updates to be sure the Town remains in compliance.

5.4.1.2 State and national criminal records background checks Upon receipt of the fingerprints and the appropriate fee, the Police Department shall transmit the fingerprints it has obtained pursuant to this by-law to the Identification Section of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services (DCJIS), and/or the Federal Bureau of Investigation (FBI) or the successors of such agencies as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks of license applicants specified in this by-law.

5.4.1.3 Authorization to conduct fingerprint-based state and national criminal record background checks The Town authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of Investigation (FBI), and their successors, as may be applicable, to conduct fingerprint-based state and national criminal record background checks, including of FBI records, consistent with this by-law. The Town authorizes the Police Department to receive and utilize State and FBI records in connection with such background checks, consistent with this by-law. The State and FBI criminal history will not be disseminated to unauthorized entities. Upon receipt of a report from the FBI or other appropriate criminal justice agency, a record subject may request and receive a copy of his/her criminal history record from the Police Department. Should the record subject seek to amend or correct his/her record, he/she must take appropriate action to correct said record, which action currently includes contacting the Massachusetts Department of Criminal Justice Information Services (DCJIS) for a state record or the FBI for records from other jurisdictions maintained in its file. An applicant that wants to challenge the accuracy or completeness of the record shall be advised that the procedures to change, correct, or update the record are set forth in Title 28 CFR 16.34. The Police Department shall not utilize and/or transmit the results of the fingerprint-based criminal record background check to any licensing authority pursuant to this by-law until it has taken the steps detailed in this paragraph.

5.4.1.4 Municipal officials should not deny an applicant the license based on information in the record until the applicant has been afforded a reasonable time to correct or complete the information, or has declined to do so. The Police Department shall communicate the results of fingerprint-based criminal record background checks to the appropriate governmental licensing authority within the Town as listed. The Police Department shall indicate whether the applicant has been convicted of, or is awaiting final adjudication for, a crime that bears upon

his or her suitability or any felony or misdemeanor that involved force or threat of force, controlled substances or a sex-related offense.

5.4.1.5 Regulations The Board of Selectmen, is authorized to promulgate regulations for the implementation of the proposed by-law, but in doing so it is recommended that they consult with the Chief of Police, Town Counsel and the Massachusetts Executive Office of Public Safety and Security (or its successor agency) to ensure that such regulations are consistent with the statute, the FBI's requirements for access to the national database, and other applicable state laws.

5.4.2 Use of Criminal Record by Licensing Authorities Licensing authorities of the Town shall utilize the results of fingerprint-based criminal record background checks for the sole purpose of determining the suitability of the subjects of the checks in connection with the license applications specified in this by-law. A Town licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed occupational activity. The licensing authority shall consider all applicable laws, regulations and Town policies bearing on an applicant's suitability in making this determination.

The Town or any of its officers, departments, boards, committees or other licensing authorities is hereby authorized to deny any application for, including renewals and transfers thereof, for any person who is determined unfit for the license, as determined by the licensing authority, due to information obtained pursuant to this by-law.

5.4.3 Fees the fee charged by the Police Department for the purpose of conducting fingerprint-based criminal record background checks shall be determined by the Board of Selectmen and shall not exceed one hundred dollars (\$100). The Town Treasurer shall periodically consult with Town Counsel and the Department of Revenue, Division of Local Services regarding the proper municipal accounting of those fees. A portion of the fee, as specified in Mass. Gen. Laws Chapter 6, Section 172B 1/2, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee may be retained by the Town for costs associated with the administration of the fingerprinting system.

5.4.4 Effective Date This by-law shall take effect May 4, 2012, so long as the requirements if G.L. c. 40 sec. 32 are satisfied.

or take any other action with respect thereto

Background: In 2010 the Massachusetts Legislature incorporated language within the Criminal Offender Record Information (CORI) Reform Law that adds Massachusetts General Law (MGL) Chapter 6, Section 172 ½ which becomes effective May 4, 2012. This new section allows municipal officials to enact by-laws that require fingerprint-based state and national criminal history checks of applicants for licenses in specified occupations. Currently the Police Department is unable to conduct fingerprint-based record checks and cannot use the multi-state criminal offender check system on vendors who often travel door to door within our community. Many of these transient vendors are from out-of-state and a local Massachusetts record check fails to reveal any previous criminal history, while the subject may have extensive violent out-of-state criminal history. The passing of this by-law is the first step in a multi-step process. The bylaw will need to be reviewed by the Attorney General's Office, the Massachusetts State Police State ID Section and the MA Department of Criminal Justice Information Services (DCJIS). Following their reviews, the bylaw will then be reviewed by the FBI Access Integrity Unit. Finally, the Board of Selectmen is authorized by the Bylaw to develop regulations to implement it, and the Board must consult with the Chief of Police, Town Counsel and the Massachusetts Executive Office of Public Safety and Security on these regulations.

There are clear guidelines within the Bylaw as to how the fingerprint based checks are to be used as well as an appeal process for the applicant to correct or complete information on the record check. The record check also cannot be disseminated to anyone who is not authorized to receive it.

The Massachusetts Police Chief's Association General Counsel, worked with the Attorney General's Office, in consultation with the staff of the EOPSS/CHSB (DCJIS) and FBI, to reach a consensus on the wording of the sample by-law that a community might adopt that would meet with everyone's approval.

The following is an Informational Bulletin from the Commonwealth of Massachusetts Department of Public Safety on this matter:



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
Department of Criminal Justice Information Services
200 ARLINGTON STREET, SUITE 2200 CHELSEA, MASSACHUSETTS 02150
WWW.MASS.GOV/CHSB
THE COMMONWEALTH'S PROVIDER OF CRIMINAL JUSTICE INFORMATION
SERVICES
TEL: 617-660-4600 • TTY: 617-660-4606 • FAX: 617-660-4613

Deval L. Patrick Governor
Timothy P. Murray Lieutenant Governor

Mary Elizabeth Heffernan Secretary of Public Safety and Security
James F. Slater, III Acting Commissioner

Informational Bulletin
Civil Fingerprinting – Chapter 256 of the Acts of 2010
Effective May 4, 2012

What is the new law that permits municipal officials to conduct fingerprint based state and national criminal history records checks on license applicants?

On August 6, 2010, the Governor signed into law Chapter 256 of the Acts of 2010, "An Act Reforming the Administrative Procedures Relative to Criminal Offender Record Information and Pre- and Post-Trial Supervised Release." Section 23 of this new law, *which takes effect on May 4, 2012, adds c. 6, §172B ½ to the Massachusetts General Laws and creates an umbrella statute under which municipal officials may enact ordinances to require state and national criminal history record checks of applicants for licenses in specified occupations.*

This new section provides:

Municipalities may, by local ordinance, require applicants for licenses in specified occupations to submit a full set of fingerprints for the purpose of conducting a state and national criminal history records check pursuant to sections 168 and 172 and 28 U.S.C. §534. Fingerprint submissions may be submitted by the licensing authority to the identification unit within the department of state police through the criminal history systems board, or its successor, for a state criminal records check and to the Federal Bureau of Investigation for a state and national criminal records check.

Municipalities may, by local ordinance, establish the appropriate fee charged to applicants for administering a fingerprinting system. For the purposes of section 2LLL of chapter 29, \$30 of the fee shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund and the remainder of the fee may be retained by the licensing authority for costs associated with the administration of the system.¹

¹ While Chapter 256 of the Acts of 2010 refers only to "ordinances," the Massachusetts General Laws define "ordinance" as a term synonymous with "bylaw." G.L. c. 4, §7, cl. Twenty second. Thus, for the purposes of M.G.L. c. 6, §172B ½, both cities and towns may avail themselves of these statutory provisions to establish a state and nation criminal history records check for civil fingerprinting for designated municipal licenses.

What are the requirements for a municipal ordinance that authorizes fingerprint based state and national criminal history records checks on municipal license applicants?

The FBI will not permit municipalities access to the national criminal history records database unless the municipality has an ordinance or by-law that meets the following requirements:

- The ordinance must reference the authorizing statute, Mass. Gen. Laws c. 6, § 172B½.
- The ordinance must require fingerprinting of a licensing applicant.
- The ordinance must authorize the use of FBI records to conduct state and national criminal history records checks.
- The ordinance must identify specific categories of licensing applicants to be screened and may not be overly broad in its scope.
- The ordinance must clearly state that FBI criminal history will not be disseminated to unauthorized entities.

Once the FBI AIU has approved a municipal ordinance, how does a municipality conduct fingerprint based state and national criminal history records checks on license applicants?

- The ordinance must be forwarded to the State Identification Section of the Massachusetts State Police (SIS) and copied to the Massachusetts Department of Criminal Justice Information Services Office of the General Counsel (DCJIS OGC). SIS will submit the ordinance for approval by the FBI Access Integrity Unit (AIU). Once approved, the FBI will add the ordinance to the FBI Massachusetts Approved Statute List. SIS will also maintain a Massachusetts Approved Ordinance List.
- Once the municipal ordinance has been approved by the FBI AIU, the municipality must contact both the SIS and DCJIS OGC to establish the business processes required for the implementation of a state and national criminal records check system, including the assignment of an Originating Agency Identifier (ORI). Contact information for both agencies appears below.
- Once these business processes have been established, a licensing applicant may be fingerprinted at the police department of the municipality in which he or she is seeking a municipal license.
- The police department will forward the applicant's fingerprints either electronically or manually to the SIS which will submit them to the FBI. All fingerprint submissions must contain the ordinance number or correct city code citation in the "Reason Fingerprinted" block of the fingerprint submission form.
- The results of the state and national criminal history records will be returned directly to the live scan fingerprint device of the submitting department and/or a designated secure website managed by DCJIS.
- It is the responsibility of the submitting department to review the results of the criminal history check and determine suitability of the license applicant. For results that are returned without a disposition to a charge, the submitting department is responsible for gathering the missing disposition(s). The CJIS may be used to contact out-of-state agencies using the International Justice and Public Safety (NIets) message keys.

Once the municipal licensing authorities receive the state and national criminal history records check results, what are their responsibilities?

- Any non-law enforcement municipal employee who as a result of this process receives and reviews, or maintains state and national criminal history records check results must first complete DCJIS's information security/identification verification training, as well as DCJIS CORI training.
- Municipal officials responsible for determining suitability for licensing must provide the applicant with the opportunity to challenge the accuracy or completeness of the FBI criminal history.
- Municipal officials should not deny an applicant the license based on information in the record until the applicant has been afforded a reasonable time to correct or complete the information, or has declined to do so.

- If the applicant wants to challenge the accuracy or completeness of the record, municipal officials must advise the applicant that the procedures to change, correct, or update the record are set forth in Title 28 CFR 16.34.

How much will obtaining a fingerprint based state and national criminal history records check cost?

- Pursuant to M.G.L. c. 6, §172B½, each municipality can set its own state and national criminal records check fee structure by ordinance. The new law requires that municipalities deposit \$30.00 of this fee into the Commonwealth's Firearms Fingerprint Identity Verification Trust Fund. DCJIS and the SIS will establish a payment system through which police departments make these deposits. Municipal licensing authorities may keep the remainder of the fees for costs associated with the administration of its state and national criminal history records check system.

What other requirements for conducting fingerprint based state and national criminal history records check do municipalities need to know about?

- The state and national criminal history check results may only be used for the purpose requested, that is, screening for specific licenses.
- A state and national criminal history records background check for civil licensing purposes may only be conducted based on a fingerprint check as authorized by a municipal ordinance and may not be conducted based on name and date of birth.
- A federal background check may not be conducted for municipal employment applicants unless such employment involves a position requiring a license issued by the municipality.
- All municipal entities that conduct fingerprint based state and national criminal history checks will be subject to audit by the DCJIS.
- Each municipal entity will be required to develop and maintain written policies and procedures for its fingerprint based national criminal history records check system.

Once an ordinance for civil fingerprinting has passed, who should a municipality contact?

Once a municipality passes a civil fingerprinting ordinance, it should contact the following:

Commanding Officer
Massachusetts State Police
State Identification Section
59 Horse Pond Rd.
Sudbury, Ma 01776.
(508) 358-3170

Additionally, a copy of the ordinance or by law must be sent to the DCJIS OGC by email at dcjisprints@state.ma.us. The State Identification Section will respond with detailed instructions and the next steps required for implementing a state and nation criminal history record check system.²

² Please note, all proposed by-laws or ordinances must still be approved by the Massachusetts Attorney General's Office Municipal Law Division.

NOTE:

Municipalities are not allowed to submit any state or national fingerprint checks until authorized by the DCJIS and the SIS. The DCJIS and the SIS will publish guidelines and detailed processes prior to commencement of this program.

Federal law prohibits police departments from conducting name and date of birth national criminal history records check for non-criminal justice purposes (i.e., licensing).

Finance Committee Report: No report.

Bylaw Committee Report - given by Phil Pacino: The Bylaw Committee recommends the subject matter of this Article by a vote of 4-0-0.

Presentation given by:

- James Cormier – See Attached

David Talbot, Precinct 5 moved to amend \$ 100 maximum to \$ 50

Motion to Amend Does Not Carry

After extensive discussion a motion was made by a Town Meeting Member to move the question.

2/3 Vote Required
125 Voted in the affirmative
10 Voted in the negative
161 Town Meeting Members in Attendance

Motion to Move Question Carried

Main Motion Carried as Presented

On motion by Ronald O'Keefe Jr, Precinct 1, it was voted that this Annual Town Meeting stand adjourned to meet at 7:30 PM at the Reading Memorial High School Auditorium, on Thursday, May 3, 2012.

Meeting adjourned at 11:09 PM with 161 Town Meeting Members in attendance.

Counted Vote
75 Voted in the affirmative
63 Voted in the negative
161 Town Meeting Members in Attendance

Motion Carried

A true copy Attest:



Laura A Gemme
Town Clerk

ANNUAL TOWN MEETING

Reading Memorial High School

May 3, 2012

The meeting was called to order by the Moderator, Alan E. Foulds, at 7:39 PM, there being a quorum present. The meeting began with the Pledge of Allegiance to the Flag.

ARTICLE 22 Presented in two motions:

Motion A

Ben Tafoya, Board of Selectmen moved that the Town vote to authorize the Board of Selectmen to petition the Great and General Court for a Special Act which will amend sections of Article 2 of the Reading Home Rule Charter as follows (note – ~~cross through~~ represents language to be eliminated and **bold** represents new language):

John Arena, Board of Selectmen moved to Dispense of the Reading

Motion to Dispense Carried

Amend the first paragraph of Section 2-1 Composition to read as follows:

The legislative body of the Town shall be a representative Town Meeting consisting of one hundred ~~ninety-two (192)~~ **forty four (144)** members from eight (8) precincts who shall be elected to meet, deliberate, act and vote in the exercise of the corporate powers of the Town. Each precinct shall be equally represented in Town Meetings by members so elected that the term of office of one-third of the members shall expire each year. **Any increase or reduction in the number of members of Town Meeting shall be phased in equally over a three year period**

Amend the first three paragraphs of Section 2-3: Town Meeting Membership to read as follows:

The registered voters in every precinct shall elect Town Meeting Members in accordance with all applicable election laws. Whenever any precincts are revised, the registered voters shall elect ~~twenty-four (24)~~ **eighteen (18)** Town Meeting Members to represent the precinct. Terms of office shall be determined by the number of votes received. The ~~eight (8)~~ **six (6)** candidates receiving the highest number of votes shall serve for three (3) years, the ~~eight (8)~~ **six (6)** receiving the next highest number of votes shall serve for two (2) years, and the next ~~eight (8)~~ **six (6)** candidates receiving the next highest number of votes shall serve for one (1) year from the day of election.

In the event of a tie, ballot position shall determine the order of finish. At each Annual Election thereafter, the registered voters in each precinct shall elect ~~eight (8)~~ **six (6)** Town Meeting Members to represent the precinct, and shall also elect Town Meeting Members to fill any vacant terms.

After the revision of precincts, the term of office of all Town Meeting Members from the revised precincts shall cease upon the election of their successors. After each election of Town Meeting Members, the Town Clerk shall notify each Town Meeting Member of his election by mail.

and, further, that the Town authorize the Board of Selectmen to allow the General Court to make substantive changes to the legislation, if necessary, without the need for another Town Meeting vote, in order to accomplish the purposes of the vote under this Article.

Motion B

James Bonazoli, Board of Selectmen moved that the Town vote to authorize the Board of Selectmen to petition the Great and General Court for a Special Act which will amend sections of Article 2 of the

Reading Home Rule Charter as follows (note – ~~cross through~~ represents language to be eliminated and **bold** represents new language):

Ben Tofoya, Board of Selectmen moved to Dispense of the Reading

Motion to Dispense Carried

Amend the last paragraph of Section 2-3: Town Meeting Membership to read as follows:

To be qualified for election on a write-in vote for a vacant Town Meeting position, the write-in candidate must receive at least ten (10) write-in votes. In the event of a tie write-in vote for a vacant Town Meeting position, the position shall be filled by a vote of the remaining Town Meeting Members of the precinct, from the write-in candidates whose write-in votes were tied **with at least ten (10) write-in votes.** The Town Clerk shall give notice of the tie vote to the remaining Town Meeting Members of the precinct. The Town Clerk shall set a time and place for a precinct meeting for the purpose of filling the vacancy. The Town Clerk shall give notice of the meeting to precinct Town Meeting Members at least seven (7) days in advance and shall publish legal notice in a newspaper of general circulation in the community. A vacant position filled in this manner shall be filled for the entire remainder of the term.

and, further, that the Town authorize the Board of Selectmen to allow the General Court to make substantive changes to the legislation, if necessary, without the need for another Town Meeting vote, in order to accomplish the purposes of the vote under this Article.

Or take any other action with respect thereto

Background: Article 22, if approved by Town Meeting, the State legislature, and the voters of the Town, would make two changes to the Reading Home Rule Charter:

- The number of members of Town Meeting would be reduced from the current 192 members (24 per precinct times 8 precincts) to 144 members (18 per precinct times 8 precincts); and
- To be elected by a write-in vote, a Town Meeting member would need to receive not less than 10 votes.

Due to re-precincting as a result of the 2010 Federal census, all Town Meeting members were required to run for re-election in March 2012. Candidates took out nomination papers for only 70% of the available seats on Town Meeting. This means that 30% of the Town Meeting seats were filled by either write-in votes, or votes of the remainder of the members of the respective precincts. In the election that took place on March 6, 2012, 43 members were elected with fewer than 10 write in votes, or over 22% of the seats. Only 8 Town Meeting members were elected with more than 10 write in votes.

Looking at the past 5 years (not including 2012) as a sample, there was no time when there were as many people running for Town Meeting seats as there were available seats. The 5 year average was 82%, and the range was from a low of 66% in 2008, to a high of 92% in 2007. Additionally, an average of 19% of the Town Meeting seats over the 5 year period was filled by 10 or fewer write-in votes. The number 10 is significant because it takes 10 signatures on a nomination paper to get on the ballot for a Town Meeting seat.

Method of Election of Town Meeting members	2012	2011	2010	2009	2008	2007	5 Year Average 2007 to 2011	5 year average % filled by method noted
Number of Seats available on Election Day	192	68	70	65	71	65	67.8	

Number of Names on Ballot	134	52	63	56	47	60	55.6	86.88%
Write-In Elected with 10 or less Votes	0	13	11	6	23	8	12.2	19.06%
Write-In Elected with 11 or more Votes	0	1	1	1	3	0	1.2	1.88%
Number Appointed by Precinct	0	3	4	8	4	0	3.8	5.94%
TMM vacancies end of year	0	8	3	1	3	0	3	
TMM removed due to attendance	0	5	1	4	10	3	4.6	
% of seats with candidates on the ballot	69.8%	76.5	90%	86.2%	66.2%	92.3%	82%	

It is clear then, that not even counting for competition for Town Meeting seats, there are not enough residents of the community interested in being Town Meeting members to sustain a Town Meeting of 192 members.

When the Board of Selectmen discussed this potential Charter Amendment to reduce the size of Town Meeting because of a lack of candidates on the ballot over the past 5 years, the Board asked what the experience was in 2002, the last time that all 24 positions per precinct were on the ballot, due to "re-precincting". The following table shows the number of candidates that had taken out papers in 2002, per precinct, and in every precinct there were at least enough candidates running for Town Meeting seats to fill all positions from the printed ballot, and in half the precincts there were contested races. This clearly shows a change since 10 years ago in interest in running for Town Meeting.

	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Precinct 6	Precinct 7	Precinct 8
Number of Candidates	29	24	24	25	24	29	29	24

Over the history of the Representative Town Meeting in Reading (adopted in 1943), adjustments in the number of Town Meeting positions have been made from time to time.

The process of making these Charter changes would be:

- Approval at Town Meeting – April 2012
- Filing of a "Special Act" with the State Legislature (our State Reps and Senator have agreed to sponsor this and have in fact prepared draft legislation) – May 2012
- Passage of the Special Act, signed by the Governor – Summer/Fall 2012
- Approval of the Charter amendment by Reading's voters – November 2012 or April 2013

Finance Committee Report: No report.

Bylaw Committee Report: - given by Philip Pacino: The Bylaw Committee is concerned that Town Meeting membership as presently structured is too large for the current societal and cultural influences of today's busy lifestyles. This results in not enough candidates running for available seat. The Committee is further concerned that Town Meeting members could be elected by as little as 1 vote. The Committee sees this as a potential disconnect between the member elected and the voters he or she is to represent. The Bylaw Committee recommends this Article by a vote of 4-0-0.

Presentation given by:

- Peter Hechenbleikner – See Attached

Motion A

After extensive discussion a motion was made by Elaine Webb, Precinct 1 to move the question.

2/3 Vote Required
102 Voted in the affirmative
21 Voted in the negative
135 Town Meeting Members in Attendance

Motion to Move the Question Carried

2/3 Counted Vote Required
6 Voted in the affirmative
121 Voted in the negative
135 Town Meeting Members in Attendance

Motion A Does Not Carry

Motion B

Bill Brown, Precinct 8 made a motion to change 10 votes to 7 votes

Motion to Amend Does Not Carry

Bruce Mackenzie, Precinct 8 made a motion to change 10 votes to 4 votes

Motion to Amend Does Not Carry

After extensive discussion a motion was made by Ron O'Keefe, Precinct 1 to move the question.

2/3 Vote Required
112 Voted in the affirmative
15 Voted in the negative
135 Town Meeting Members in Attendance

Motion to Move the Question Carried

2/3 Counted Vote Required
15 Voted in the affirmative
113 Voted in the negative
135 Town Meeting Members in Attendance

Motion B Does Not Carry

ARTICLE 23 To see if the Town will vote, pursuant to Section 2-6 of the Reading Home Rule Charter, to declare the seats of certain Town Meeting Members to be vacant and remove certain described persons from their position as Town Meeting Members for failure to take the oath of office within 30 days following the notice of election or for failure to attend one half or more of the Town Meeting sessions during the previous year, or take any other action with respect thereto:

Precinct 1 None

Precinct 2 None

Precinct 3 None

Precinct 4 None

Precinct 5 None

Precinct 6 None

Precinct 7 None

Precinct 8 None

Background: The Reading Home Rule Charter provides for the removal by Town Meeting of Town Meeting Members who did not attend at least half of the Town Meeting sessions during the previous year. Since all Town Meeting members had to run for re-election in 2012 because of the re-precincting related to the 2010 Federal census, there are no incumbent Town Meeting members and therefore no action to be taken under this article.

Therefore this article will be indefinitely postponed.

Finance Committee Report: No report.


Bylaw Committee Report: No report.

Motion to Indefinitely Postpone Carried

Ben Tafoya, Board of Selectmen moved to adjourn the 2012 Annual Town Meeting *sine die* at 9:06 PM with 135 Town Meeting Member in attendance.

Motion Carried

A true copy Attest:



Laura A Gemme
Town Clerk

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Officer's Return, Reading:

By virtue of this Warrant, I, on February 28, 2012 notified and warned the inhabitants of the Town of Reading, qualified to vote on Town affairs, to meet at the place and at the time specified by posting attested copies of this Town Meeting Warrant in the following public places within the Town of Reading:

Precinct 1	J. Warren Killam School, 333 Charles Street
Precinct 2	Reading Police Station, 15 Union Street
Precinct 3	Reading Municipal Light Department, 230 Ash Street
Precinct 4	Joshua Eaton School, 365 Summer Avenue
Precinct 5	Reading Library, Local History Room, 64 Middlesex Avenue
Precinct 6	Barrows School, 16 Edgemont Avenue
Precinct 7	Birch Meadow School, 27 Arthur B Lord Drive
Precinct 8	Wood End School, 85 Sunset Rock Lane
	Town Hall, 16 Lowell Street

The date of posting being not less than seven (7) days prior to March 6, 2012, the date set for the Presidential Primary Election in this Warrant.

I also caused an attested copy of this Warrant to be posted on the Town of Reading web site.


Alan Ulrich, Constable

A true copy Attest:


Laura Gemme, Town Clerk

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

STATE PRIMARY ELECTION WARRANT

MIDDLESEX, SS.

To any of the Constables of the Town of Reading, Greetings:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the Town of Reading who are qualified to vote in the State Primary Election to vote at

Precincts 1, 2, 3, 4, 5, 6, 7, and 8

Reading Memorial High School - Hawkes Field House - 62 Oakland Road

on **TUESDAY, THE SIXTH DAY OF MARCH, 2012**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Primaries for the candidates of political parties for the following offices:

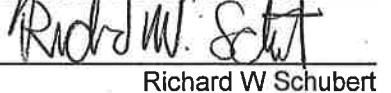
PRESIDENTIAL PREFERENCE	FOR THIS COMMONWEALTH
STATE COMMITTEE MAN	SENATORIAL DISTRICT
STATE COMMITTEE WOMAN	SENATORIAL DISTRICT
TOWN COMMITTEE	TOWN OF READING

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 28th day of February, 2012.


Camille W. Anthony, Chairman


Stephen A. Goldy, Vice Chairman


Richard W. Schubert


James E. Bonazoli

Ben Tafoya

BOARD OF SELECTMEN


Alan Ulrich, Constable

A true copy Attest:


Laura A. Gemme, Town Clerk

Presidential Primary Election
March 6, 2012
Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Primary Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters
 1,466 Voted Democratic Ballots
 2,709 Voted Republican Ballots
 10 Voted Green-Rainbow Ballots

4,185 Total Ballots 24.6% of registered voters cast as follows:

Democrat Ballot

Presidential Preference - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	12	8	5	6	3	4	5	11	54
Barack Obama	175	133	146	152	161	119	189	141	1,216
Mitt Romney	2	1	-	2	-	-	1	2	8
No Preference	31	27	24	12	21	10	15	34	174
Write-Ins	1	2	3	1	1	-	4	2	14
Total	221	171	178	173	186	133	214	190	1,466

State Committee Man - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	56	45	50	52	53	39	72	60	427
Joseph F Lawless III	164	126	128	120	132	94	142	129	1,035
Write-Ins	1	-	-	1	1	-	-	1	4
Total	221	171	178	173	186	133	214	190	1,466

State Committee Women - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	53	46	48	51	47	40	63	56	404
Betsy Sheeran	167	125	130	122	139	93	151	133	1,060
Write-Ins	1	-	-	-	-	-	-	1	2
Total	221	171	178	173	186	133	214	190	1,466

Town Committee									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	91	79	79	77	76	58	94	100	654
Group	130	92	99	96	110	75	120	90	812
Total	221	171	178	173	186	133	214	190	1,466

Presidential Primary Election
March 6, 2012
Official Certified Results

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Town Committee - Vote for Thirty-Five									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	4,483	3,525	3,738	3,579	3,734	2,750	4,456	4,336	30,601
Ben Tafoya	161	114	131	128	138	98	159	123	1,052
Alice W Collins	139	111	111	111	125	89	143	101	930
Margaret L Soli	145	104	109	108	123	92	136	107	924
Marcia Nigro Dresser	139	111	107	112	124	86	136	101	916
Meghan A Young	139	103	111	114	125	83	133	103	911
Marilyn P Simmons	140	107	113	111	119	85	130	98	903
Carolyn R Whiting	140	104	106	105	120	80	140	104	899
Susan S Carven	142	111	111	103	118	79	127	106	897
Karen A Richard	140	105	109	113	120	79	131	100	897
Dianne P Kennedy	140	110	108	106	121	83	131	97	896
John A Lippitt	140	103	109	112	122	81	132	96	895
Harry M Simmons	139	104	112	109	122	86	128	94	894
Shirley R Slack	144	105	108	103	120	85	128	100	893
Robert M Connors	142	108	106	112	118	80	127	99	892
Dennis Newman	145	114	104	101	120	79	128	99	890
Davina L Shuman	144	107	107	100	118	81	129	98	884
Donald M Green	137	105	106	109	117	81	130	96	881
David A Carven	139	107	110	101	117	79	127	100	880
Tina M Ohlson	137	103	104	101	119	78	129	102	873
Arthur W Berg	140	105	102	101	118	81	127	96	870
David A Zeek	139	106	103	99	117	79	126	96	865
Evan A Hackel	136	100	103	103	116	79	127	97	861
Jeffrey D Perkins	136	103	101	100	117	80	125	95	857
James T Maughan	-	-	-	4	-	-	1	-	5
Write-Ins	9	10	1	10	2	2	4	6	44
Total	7,735	5,985	6,230	6,055	6,510	4,655	7,490	6,650	51,310

Presidential Primary Election
March 6, 2012
Official Certified Results

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 10 Voted Green-Rainbow Ballots

4,185 Total Ballots 24.6% of registered voters cast as follows:

Republican Ballot

Presidential Preference - Vote for One									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	1	-	1	1	1	-	-	2	6
Mitt Romney	345	219	221	255	224	210	250	331	2,055
Rick Santorum	43	37	44	35	30	25	37	30	281
Ron Paul	36	27	17	26	37	24	31	24	222
Newt Gingrich	13	16	5	12	6	5	12	9	78
Jon Huntsman	6	4	5	3	7	1	1	2	29
Michele Bachmann	-	2	-	1	1	1	2	3	10
Rick Perry	1	1	-	-	1	1	1	1	6
No Preference	5	1	2	4	1	2	-	5	20
Write-Ins	2	-	-	-	-	-	-	-	2
Total	452	307	295	337	308	269	334	407	2,709

State Committee Man - Vote for One									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	110	61	62	73	64	44	75	90	579
Albert J Turco	221	145	140	164	138	139	153	179	1,279
Robert E Aufiero	119	100	93	100	105	85	104	137	843
Write-Ins	2	1	-	-	1	1	2	1	8
Total	452	307	295	337	308	269	334	407	2,709

State Committee Women - Vote for One									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	186	120	120	134	121	88	141	166	1,076
Brittany A Carisella	264	184	174	203	186	179	190	241	1,621
Write-Ins	2	3	1	-	1	2	3	-	12
Total	452	307	295	337	308	269	334	407	2,709

Presidential Primary Election
March 6, 2012
Official Certified Results

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The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

16,988 Registered Voters
 1,466 Voted Democratic Ballots
 2,709 Voted Republican Ballots
 10 Voted Green-Rainbow Ballots

4,185 Total Ballots 24.6% of registered voters cast as follows:

Town Committee									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	272	168	174	207	169	152	198	262	1,602
Group	180	139	121	130	139	117	136	145	1,107
Total	452	307	295	337	308	269	334	407	2,709

Town Committee - Vote for Thirty-Five									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	11,572	7,505	7,460	8,554	7,406	6,632	8,456	10,805	68,390
Daniel A Ensminger	218	155	142	166	167	139	172	178	1,337
Eileen Shine Litterio	203	152	136	163	169	149	162	188	1,322
Kara Fratto	212	170	147	155	170	133	159	169	1,315
Louise M Callahan	206	157	140	166	168	133	153	170	1,293
Richard H Curtis	202	153	149	165	168	133	154	163	1,287
Judith Alice Webb	203	154	136	161	166	135	160	166	1,281
Elaine M Little	201	153	144	170	161	129	155	160	1,273
Karl E Weld	205	152	138	151	159	133	167	166	1,271
Ronald Thomas O'Keefe Jr	224	158	136	151	154	127	153	166	1,269
Mary T Carbone	199	152	137	161	165	130	154	170	1,268
Patricia C Marchetti	199	156	133	156	173	131	154	163	1,265
Richard H Coco	206	157	133	147	159	133	152	164	1,251
Krissandra Holmes	195	155	146	161	157	126	144	160	1,244
Willard J Burditt	201	150	137	156	155	122	151	160	1,232
Eleanor K Higgott	192	151	137	151	163	130	144	156	1,224
L Nancy Forsberg	200	149	128	145	156	123	145	161	1,207
Jeanne M Borawski	195	150	131	145	152	129	147	154	1,203
Kevin M Sexton	199	151	131	139	149	128	145	158	1,200
Brandon P Chapman	195	146	127	141	150	127	154	158	1,198
Michael J Borawski	196	148	131	141	151	128	145	153	1,193
Christina A Holsclaw	190	147	125	143	157	125	140	151	1,178
Diana M Kaine	2	-	1	2	1	2	1	1	10
Write-Ins	5	24	-	5	4	38	23	5	104
Total	15,820	10,745	10,325	11,795	10,780	9,415	11,690	14,245	94,815

Presidential Primary Election
March 6, 2012
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Green-Rainbow Ballot

Presidential Preference - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	-	-	-	-	-	-	-	-	-
Jill Stein	1	1	2	1	-	-	-	1	6
Harley Mikkelson	-	-	-	-	-	1	-	-	1
Kent Mesplay	-	-	-	-	-	-	-	-	-
No Preference	-	-	-	-	2	-	-	-	2
Write-Ins	-	-	-	-	1	-	-	-	1
Total	1	1	2	1	3	1	-	1	10

State Committee Man - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	1	-	1	1	2	-	-	1	6
Write-Ins	-	1	1	-	1	1	-	-	4
Total	1	1	2	1	3	1	-	1	10

State Committee Women - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	1	-	1	1	2	-	-	1	6
Write-Ins	-	1	1	-	1	1	-	-	4
Total	1	1	2	1	3	1	-	1	10

Town Committee									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	10	10	20	10	29	10	-	10	99
Write-Ins	-	-	-	-	1	-	-	-	1
Total	10	10	20	10	30	10	-	10	100

Presidential Primary Election
March 6, 2012
Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Primary Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

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10 Voted Green-Rainbow Ballots

4,185 Total Ballots 24.6% of registered voters cast as follows:

A true copy. Attest:



Laura A Gemme
Town Clerk

September 14, 2010, State Primary Warrant

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Officer's Return, Reading:

By virtue of this Warrant, I, on September 1,, 2010 notified and warned the inhabitants of the Town of Reading, qualified to vote on Town affairs, to meet at the place and at the time specified by posting attested copies of this Town Meeting Warrant in the following public places within the Town of Reading:

- Precinct 1 J. Warren Killam School, 333 Charles Street
- Precinct 2 Peter Sanborn Place, 50 Bay State Road
- Precinct 3 Reading Police Station, 15 Union Street
- Precinct 4 Joshua Eaton School, 365 Summer Avenue
- Precinct 5 Town Hall, 16 Lowell Street
- Precinct 6 Austin Preparatory School, 101 Willow Street
- Precinct 7 Reading Library, Local History Room, 64 Middlesex Avenue
- Precinct 8 Wood End School, 85 Sunset Rock Lane

The date of posting being not less than seven (7) days prior to September 14, 2010, the date set for the State Primary Election in this Warrant.

I also caused an attested copy of this Warrant to be posted on the Town of Reading web site.


Tom Freeman, Constable

A true copy Attest:


Laura Gemme, Town Clerk

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH
STATE PRIMARY ELECTION WARRANT

MIDDLESEX, SS.

To any of the Constables of the Town of Reading, Greetings:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the Town of Reading who are qualified to vote in the State Primary Election to vote at

Precincts 1, 2, 3, 4, 5, 6, 7, and 8

Reading Memorial High School - Hawkes Field House - Oakland Road

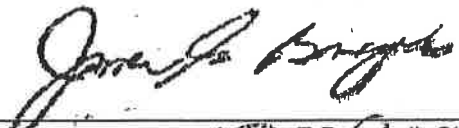
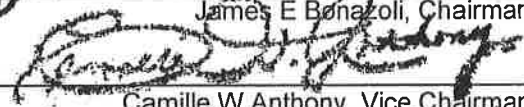
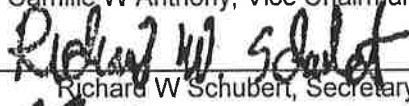
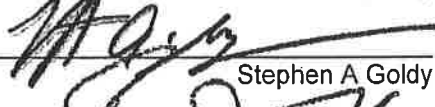
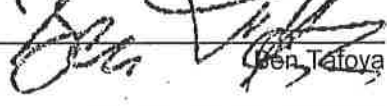
on **TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER, 2010**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

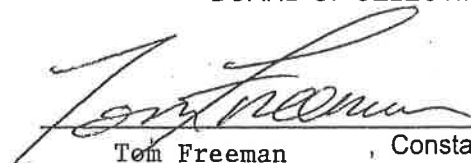
To cast their votes in the State Primaries for the candidates of political parties for the following offices:

GOVERNOR	FOR THIS COMMONWEALTH
LT. GOVERNOR	FOR THIS COMMONWEALTH
ATTORNEY GENERAL	FOR THIS COMMONWEALTH
SECRETARY OF STATE	FOR THIS COMMONWEALTH
TREASURER	FOR THIS COMMONWEALTH
AUDITOR	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS	SIXTH DISTRICT
COUNCILLOR	SIXTH DISTRICT
SENATOR IN GENERAL COURT	MIDDLESEX & ESSEX DISTRICT
REPRESENTATIVE IN GENERAL COURT	TWENTIETH & THIRTIETH MIDDLESEX DISTRICTS
DISTRICT ATTORNEY	NORTHERN DISTRICT
SHERIFF	MIDDLESEX COUNTY

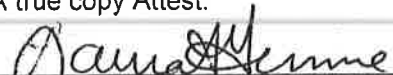
Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 26th day of August, 2010.


James E. Bonazoli, Chairman

Camille W. Anthony, Vice Chairman

Richard W. Schubert, Secretary

Stephen A. Goldy

Ben Tefoya
BOARD OF SELECTMEN


Tom Freeman, Constable

A true copy Attest:


Laura A. Gemme, Town Clerk

State Primary Election
September 6, 2012
Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Primary Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

17,164 Registered Voters
 723 Voted Democratic Ballots
 646 Voted Republican Ballots
 - Voted Green-Rainbow Ballots

1,369 Total Ballots 8.0% of registered voters cast as follows:

Democrat Ballot

Senator in Congress - Vote for One									
<u>Candidate</u>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	15	11	10	11	11	11	15	12	96
Elizabeth A Warren	72	84	70	78	73	51	92	88	608
Write-Ins	2	4	1	3	2	-	3	4	19
Total	89	99	81	92	86	62	110	104	723

Representative in Congress - Vote for One									
<u>Candidate</u>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	20	23	24	23	13	13	26	21	163
John F Tierney	67	73	56	69	70	48	80	83	546
Write-Ins	2	3	1	-	3	1	4	-	14
Total	89	99	81	92	86	62	110	104	723

Councillor - Vote for One									
<u>Candidate</u>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	11	12	10	11	11	12	22	13	102
Terrence W Kennedy	53	59	44	51	48	31	52	58	396
Francis Xavier Flaherty Jr	23	28	26	30	26	19	36	33	221
Write-Ins	2	-	1	-	1	-	-	-	4
Total	89	99	81	92	86	62	110	104	723

Senator in General Court - Vote for One									
<u>Candidate</u>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	11	12	9	16	9	10	18	16	101
Katherine M Clark	76	86	72	76	77	52	91	88	618
Write-Ins	2	1	-	-	-	-	1	-	4
Total	89	99	81	92	86	62	110	104	723

State Primary Election
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Representative in General Court - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	82	12	13	21	10	58	102	87	385
James J Dwyer	-	86	67	71	76	-	-	-	300
Write-Ins	7	1	1	-	-	4	8	17	38
Total	89	99	81	92	86	62	110	104	723

Clerk of Courts - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	17	19	12	24	16	15	32	21	156
Michael A Sullivan	70	79	69	68	70	47	78	83	564
Write-Ins	2	1	-	-	-	-	-	-	3
Total	89	99	81	92	86	62	110	104	723

Register of Deeds - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	6	12	7	13	6	10	13	10	77
Robert B Antonelli	13	14	14	13	11	8	10	22	105
Frank J Ciano	4	3	2	2	7	4	6	7	35
Thomas B Concannon Jr	9	7	11	10	6	6	7	5	61
Maria C Curtatone	17	19	19	29	25	12	23	23	167
Tiziano Doto	23	26	17	17	23	14	37	27	184
Maryann M Heuston	16	17	11	8	8	8	14	10	92
Write-Ins	1	1	-	-	-	-	-	-	2
Total	89	99	81	92	86	62	110	104	723

Sheriff - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	23	23	12	22	16	16	33	20	165
Peter J Koutoujian	64	75	68	70	69	46	77	84	553
Write-Ins	2	1	1	-	1	-	-	-	5
Total	89	99	81	92	86	62	110	104	723

State Primary Election
September 6, 2012
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Republican Ballot

Senator in Congress - Vote for One									
<u>Candidate</u>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	2	-	2	-	-	-	-	-	4
Scott P Brown	107	74	48	72	70	72	87	111	641
Write-Ins	-	-	-	-	1	-	-	-	1
Total	109	74	50	72	71	72	87	111	646

Representative in Congress - Vote for One									
<u>Candidate</u>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	4	2	4	2	-	1	3	4	20
Richard R Tisei	105	71	46	70	70	71	82	105	620
Write-Ins	-	1	-	-	1	-	2	2	6
Total	109	74	50	72	71	72	87	111	646

Councillor - Vote for One									
<u>Candidate</u>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	96	72	46	70	67	66	72	104	593
Write-Ins	13	2	4	2	4	6	15	7	53
Total	109	74	50	72	71	72	87	111	646

Senator in General Court - Vote for One									
<u>Candidate</u>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	100	73	44	71	67	66	73	106	600
Write-Ins	9	1	6	1	4	6	14	5	46
Total	109	74	50	72	71	72	87	111	646

State Primary Election
September 6, 2012
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Representative in General Court - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	10	73	47	70	67	7	2	10	286
Bradley H Jones Jr	98	-	-	-	-	65	84	99	346
Write-Ins	1	1	3	2	4	-	1	2	14
Total	109	74	50	72	71	72	87	111	646

Clerk of Courts - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	100	73	47	71	67	69	73	107	607
Write-Ins	9	1	3	1	4	3	14	4	39
Total	109	74	50	72	71	72	87	111	646

Register of Deeds - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	98	73	48	70	67	68	72	106	602
Write-Ins	11	1	2	2	4	4	15	5	44
Total	109	74	50	72	71	72	87	111	646

Sheriff - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	101	73	45	71	67	68	72	108	605
Write-Ins	8	1	5	1	4	4	15	3	41
Total	109	74	50	72	71	72	87	111	646

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Green-Rainbow Ballot

Senator in Congress - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	-	-	-	-	-	-	-	-	-
Write-Ins	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-

Representative in Congress - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	-	-	-	-	-	-	-	-	-
Write-Ins	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-

Councillor - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	-	-	-	-	-	-	-	-	-
Write-Ins	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-

Senator in General Court - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	-	-	-	-	-	-	-	-	-
Write-Ins	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-

Representative in General Court - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	-	-	-	-	-	-	-	-	-
Write-Ins	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-

State Primary Election
September 6, 2012
Official Certified Results

Pursuant to the Warrant and the Constable's Return thereon, a State Primary Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

17,164 Registered Voters
723 Voted Democratic Ballots
646 Voted Republican Ballots
- Voted Green-Rainbow Ballots

1,369 Total Ballots 8.0% of registered voters cast as follows:

Clerk of Courts - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	-	-	-	-	-	-	-	-	-
Write-Ins	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-

Register of Deeds - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	-	-	-	-	-	-	-	-	-
Write-Ins	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-

Sheriff - Vote for One									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	-	-	-	-	-	-	-	-	-
Write-Ins	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-

A true copy. Attest:



Laura A Gemme
Town Clerk

November 6, 2012
State Election Warrant

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Officer's Return, Reading:

By virtue of this Warrant, I, Alan Ulrich on October 11, 2012 notified and warned the inhabitants of the Town of Reading, qualified to vote on Town affairs, to meet at the place and at the time specified by posting attested copies of this Town Meeting Warrant in the following public places within the Town of Reading:

Precinct 1	J. Warren Killam School, 333 Charles Street
Precinct 2	Reading Police Station, 15 Union Street
Precinct 3	Reading Municipal Light Department, 230 Ash Street
Precinct 4	Joshua Eaton School, 365 Summer Avenue
Precinct 5	Reading Library, Local History Room, 64 Middlesex Avenue
Precinct 6	Barrows School, 16 Edgemont Avenue
Precinct 7	Birch Meadow School, 27 Arthur B Lord Drive
Precinct 8	Wood End School, 85 Sunset Rock Lane
	Town Hall, 16 Lowell Street

The date of posting being not less than seven (7) days prior to November 6, 2012 the date set for the State Election in this Warrant.

I also caused an attested copy of this Warrant to be posted on the Town of Reading web site.


Alan Ulrich, Constable

A true copy Attest:


Laura Gemme, Town Clerk

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

STATE ELECTION WARRANT

SS

To the Constables of the Town of Reading

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in the State Election to vote at

Precincts 1, 2, 3, 4, 5, 6, 7, and 8

Reading Memorial High School - Hawkes Field House - 62 Oakland Road

on **TUESDAY THE SIXTH DAY OF NOVEMBER 2012**, from 7:00 AM to 8:00 PM for the following purpose:

To cast their votes in the State Election for the candidates for the following offices and questions:

ELECTORS OF PRESIDENT AND VICE PRESIDENT	FOR THIS COMMONWEALTH
SENATOR IN CONGRESS.....	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....	SIXTH DISTRICT
COUNCILLOR	SIXTH DISTRICT
SENATOR IN GENERAL COURT.....	FIFTH MIDDLESEX DISTRICT
REPRESENTATIVE IN GENERAL COURT.....	TWENTIETH MIDDLESEX DISTRICT
REPRESENTATIVE IN GENERAL COURT.....	THIRTIETH MIDDLESEX DISTRICT
CLERK OF COURTS	MIDDLESEX DISTRICT
REGISTER OF DEEDS	MIDDLESEX SOUTHERN DISTRICT
SHERIFF	MIDDLESEX COUNTY
REGIONAL SCHOOL COMMITTEE	NORTHEAST METROPOLITAN

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 1, 2012?

SUMMARY

This proposed law would prohibit any motor vehicle manufacturer, starting with model year 2015, from selling or leasing, either directly or through a dealer, a new motor vehicle without allowing the owner to have access to the same diagnostic and repair information made available to the manufacturer's dealers and in-state authorized repair facilities.

The manufacturer would have to allow the owner, or the owner's designated in-state independent repair facility (one not affiliated with a manufacturer or its authorized dealers), to obtain diagnostic and repair information electronically, on an hourly, daily, monthly, or yearly subscription basis, for no more than fair market value and on terms that do not unfairly favor dealers and authorized repair facilities.

The manufacturer would have to provide access to the information through a non-proprietary vehicle interface, using a standard applied in federal emissions-control regulations. Such information would have to include the same content, and be in the same form and accessible in the same manner, as is provided to the manufacturer's dealers and authorized repair facilities.

For vehicles manufactured from 2002 through model year 2014, the proposed law would require a manufacturer of motor vehicles sold in Massachusetts to make available for purchase, by vehicle owners and in-state independent repair facilities, the same diagnostic and repair information that the manufacturer makes available through an electronic system to its dealers and in-state authorized repair facilities. Manufacturers would have to make such information available in the same form and manner, and to the same extent, as they do for dealers and authorized repair facilities. The information would be available for purchase on an hourly, daily, monthly, or yearly subscription basis, for no more than fair market value and on terms that do not unfairly favor dealers and authorized repair facilities.

For vehicles manufactured from 2002 through model year 2014, the proposed law would also require manufacturers to make available for purchase, by vehicle owners and in-state independent repair facilities, all diagnostic repair tools,

incorporating the same diagnostic, repair and wireless capabilities as those available to dealers and authorized repair facilities. Such tools would have to be made available for no more than fair market value and on terms that do not unfairly favor dealers and authorized repair facilities.

For all years covered by the proposed law, the required diagnostic and repair information would not include the information necessary to reset a vehicle immobilizer, an anti-theft device that prevents a vehicle from being started unless the correct key code is present. Such information would have to be made available to dealers, repair facilities, and owners through a separate, secure data release system.

The proposed law would not require a manufacturer to reveal a trade secret and would not interfere with any agreement made by a manufacturer, dealer, or authorized repair facility that is in force on the effective date of the proposed law. Starting January 1, 2013, the proposed law would prohibit any agreement that waives or limits a manufacturer's compliance with the proposed law.

Any violation of the proposed law would be treated as a violation of existing state consumer protection and unfair trade-practices laws.

A YES VOTE would enact the proposed law requiring motor vehicle manufacturers to allow vehicle owners and independent repair facilities in Massachusetts to have access to the same vehicle diagnostic and repair information made available to the manufacturers' Massachusetts dealers and authorized repair facilities.

A NO VOTE would make no change in existing laws.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 1, 2012?

SUMMARY

This proposed law would allow a physician licensed in Massachusetts to prescribe medication, at a terminally ill patient's request, to end that patient's life. To qualify, a patient would have to be an adult resident who (1) is medically determined to be mentally capable of making and communicating health care decisions; (2) has been diagnosed by attending and consulting physicians as having an incurable, irreversible disease that will, within reasonable medical judgment, cause death within six months; and (3) voluntarily expresses a wish to die and has made an informed decision. The proposed law states that the patient would ingest the medicine in order to cause death in a humane and dignified manner.

The proposed law would require the patient, directly or through a person familiar with the patient's manner of communicating, to orally communicate to a physician on two occasions, 15 days apart, the patient's request for the medication. At the time of the second request, the physician would have to offer the patient an opportunity to rescind the request. The patient would also have to sign a standard form, in the presence of two witnesses, one of whom is not a relative, a beneficiary of the patient's estate, or an owner, operator, or employee of a health care facility where the patient receives treatment or lives.

The proposed law would require the attending physician to: (1) determine if the patient is qualified; (2) inform the patient of his or her medical diagnosis and prognosis, the potential risks and probable result of ingesting the medication, and the feasible alternatives, including comfort care, hospice care and pain control; (3) refer the patient to a consulting physician for a diagnosis and prognosis regarding the patient's disease, and confirmation in writing that the patient is capable, acting voluntarily, and making an informed decision; (4) refer the patient for psychiatric or psychological consultation if the physician believes the patient may have a disorder causing impaired judgment; (5) recommend that the patient notify next of kin of the patient's intention; (6) recommend that the patient have another person present when the patient ingests the medicine and to not take it in a public place; (7) inform the patient that he or she may rescind the request at any time; (8) write the prescription when the requirements of the law are met, including verifying that the patient is making an informed decision; and (9) arrange for the medicine to be dispensed directly to the patient, or the patient's agent, but not by mail or courier.

The proposed law would make it punishable by imprisonment and/or fines, for anyone to (1) coerce a patient to request medication, (2) forge a request, or (3) conceal a rescission of a request. The proposed law would not authorize ending a patient's life by lethal injection, active euthanasia, or mercy killing. The death certificate would list the underlying terminal disease as the cause of death.

Participation under the proposed law would be voluntary. An unwilling health care provider could prohibit or sanction another health care provider for participating while on the premises of, or while acting as an employee of or contractor for, the unwilling provider.

The proposed law states that no person would be civilly or criminally liable or subject to professional discipline for actions that comply with the law, including actions taken in good faith that substantially comply. It also states that it should not be

interpreted to lower the applicable standard of care for any health care provider.

A person's decision to make or rescind a request could not be restricted by will or contract made on or after January 1, 2013, and could not be considered in issuing, or setting the rates for, insurance policies or annuities. Also, the proposed law would require the attending physician to report each case in which life-ending medication is dispensed to the state Department of Public Health. The Department would provide public access to statistical data compiled from the reports.

The proposed law states that if any of its parts was held invalid, the other parts would stay in effect.

A YES VOTE would enact the proposed law allowing a physician licensed in Massachusetts to prescribe medication, at the request of a terminally-ill patient meeting certain conditions, to end that person's life.

A NO VOTE would make no change in existing laws.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 1, 2012?

SUMMARY

This proposed law would eliminate state criminal and civil penalties for the medical use of marijuana by qualifying patients. To qualify, a patient must have been diagnosed with a debilitating medical condition, such as cancer, glaucoma, HIV-positive status or AIDS, hepatitis C, Crohn's disease, Parkinson's disease, ALS, or multiple sclerosis. The patient would also have to obtain a written certification, from a physician with whom the patient has a bona fide physician-patient relationship, that the patient has a specific debilitating medical condition and would likely obtain a net benefit from medical use of marijuana.

The proposed law would allow patients to possess up to a 60-day supply of marijuana for their personal medical use. The state Department of Public Health (DPH) would decide what amount would be a 60-day supply. A patient could designate a personal caregiver, at least 21 years old, who could assist with the patient's medical use of marijuana but would be prohibited from consuming that marijuana. Patients and caregivers would have to register with DPH by submitting the physician's certification.

The proposed law would allow for non-profit medical marijuana treatment centers to grow, process and provide marijuana to patients or their caregivers. A treatment center would have to apply for a DPH registration by (1) paying a fee to offset DPH's administrative costs; (2) identifying its location and one additional location, if any, where marijuana would be grown; and (3) submitting operating procedures, consistent with rules to be issued by DPH, including cultivation and storage of marijuana only in enclosed, locked facilities.

A treatment center's personnel would have to register with DPH before working or volunteering at the center, be at least 21 years old, and have no felony drug convictions. In 2013, there could be no more than 35 treatment centers, with at least one but not more than five centers in each county. In later years, DPH could modify the number of centers.

The proposed law would require DPH to issue a cultivation registration to a qualifying patient whose access to a treatment center is limited by financial hardship, physical inability to access reasonable transportation, or distance. This would allow the patient or caregiver to grow only enough plants, in a closed, locked facility, for a 60-day supply of marijuana for the patient's own use.

DPH could revoke any registration for a willful violation of the proposed law. Fraudulent use of a DPH registration could be punished by up to six months in a house of correction or a fine of up to \$500, and fraudulent use of a registration for the sale, distribution, or trafficking of marijuana for non-medical use for profit could be punished by up to five years in state prison or by two and one-half years in a house of correction.

The proposed law would (1) not give immunity under federal law or obstruct federal enforcement of federal law; (2) not supersede Massachusetts laws prohibiting possession, cultivation, or sale of marijuana for nonmedical purposes; (3) not allow the operation of a motor vehicle, boat, or aircraft while under the influence of marijuana; (4) not require any health insurer or government entity to reimburse for the costs of the medical use of marijuana; (5) not require any health care professional to authorize the medical use of marijuana; (6) not require any accommodation of the medical use of marijuana in any workplace, school bus or grounds, youth center, or correctional facility; and (7) not require any accommodation of smoking marijuana in any public place.

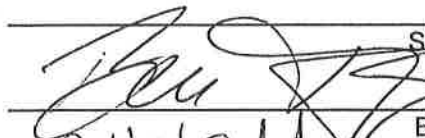
The proposed law would take effect January 1, 2013, and states that if any of its part were declared invalid, the other parts would stay in effect.

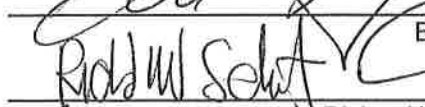
A YES VOTE would enact the proposed law eliminating state criminal and civil penalties related to the medical use of marijuana, allowing patients meeting certain conditions to obtain marijuana produced and distributed by new state-regulated centers or, in specific hardship cases, to grow marijuana for their own use.

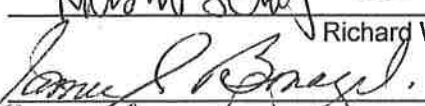
A NO VOTE would make no change in existing laws.


Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.


Given under our hands this 9th day of October, 2012


Stephen A Goldy, Chair

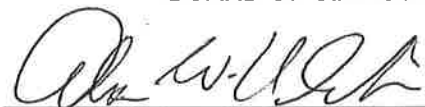

Ben Tafoya, Vice Chair


Richard W Schubert, Secretary


James E Bonazoli


John J Arena

BOARD OF SELECTMEN


Alan Ulrich Constable

A true copy Attest:



Laura A Gemme, Town Clerk

Warrant must be posted by October 30, 2012
At least seven (7) days prior to the November 6, 2012 State Election

**State Election
November 6, 2012
Official Certified Results**

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

17,582 Registered Voters

14,448 Ballots Voted

14,448 Total Ballots

82.2% of registered voters cast as follows:

Electors of President and Vice President									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	4	9	4	4	3	4	6	3	37
Johnson and Gray	21	15	6	12	21	8	8	15	106
Obama and Biden	1,008	984	907	927	1,014	769	1,053	853	7,515
Romney and Ryan	1,076	776	827	866	703	620	890	925	6,683
Stein and Honkala	10	6	8	4	14	7	13	7	69
Paul and Unknown	1	-	2	4	2	2	2	-	13
Write-Ins	2	7	1	1	3	1	5	5	25
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

Senator in Congress									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	12	14	12	6	11	9	6	11	81
Scott P Brown	1,271	952	957	1,036	881	745	1,100	1,075	8,017
Elizabeth A Warren	839	828	785	776	868	655	869	722	6,342
Write-Ins	-	3	1	-	-	2	2	-	8
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

Representative in Congress									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	66	94	65	84	70	68	78	83	608
John F Tierney	766	708	647	646	766	554	737	610	5,434
Richard R Tisel	1,228	934	982	1,038	863	751	1,086	1,067	7,949
Daniel Fishman	59	59	58	49	57	35	73	46	436
Write-Ins	3	2	3	1	4	3	3	2	21
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

**State Election
November 6, 2012
Official Certified Results**

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

17,582 Registered Voters

14,448 Ballots Voted

14,448 Total Ballots

82.2% of registered voters cast as follows:

Councillor									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	802	584	606	678	580	494	736	684	5,164
Terrence W Kennedy	1,295	1,195	1,129	1,129	1,162	908	1,222	1,108	9,148
Write-Ins	25	18	20	11	18	9	19	16	136
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

Senator in General Court									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	758	576	573	628	557	480	690	665	4,927
Katherine M Clark	1,340	1,204	1,161	1,183	1,184	924	1,266	1,128	9,390
Write-Ins	24	17	21	7	19	7	21	15	131
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

Representative in General Court 20th Middlesex									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	567	-	-	-	-	409	578	486	2,040
Bradley H Jones Jr	1,531	-	-	-	-	991	1,381	1,308	5,211
Write-Ins	24	-	-	-	-	11	18	14	67
Total	2,122	-	-	-	-	1,411	1,977	1,808	7,318

Representative in General Court 30th Middlesex									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	-	559	549	590	526	-	-	-	2,224
James J Dwyer	-	1,222	1,192	1,225	1,215	-	-	-	4,854
Write-Ins	-	16	14	3	19	-	-	-	52
Total	-	1,797	1,755	1,818	1,760	-	-	-	7,130

**State Election
November 6, 2012
Official Certified Results**

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

17,582 Registered Voters
14,448 Ballots Voted

14,448 Total Ballots

82.2% of registered voters cast as follows:

Clerk of Courts									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	834	637	609	703	611	521	778	711	5,404
Michael A Sullivan	1,271	1,147	1,136	1,108	1,130	885	1,183	1,082	8,942
Write-Ins	17	13	10	7	19	5	16	15	102
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

Register of Deeds									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	836	643	627	724	626	534	798	712	5,500
Maria C Curtatone	1,271	1,139	1,120	1,087	1,115	872	1,165	1,077	8,846
Maryann Heuston	-	-	-	-	-	-	-	2	2
Write-Ins	15	15	8	7	19	5	14	17	100
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

Sheriff									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	579	419	415	515	427	361	550	497	3,763
Peter J Koutoujian	1,018	926	924	956	976	721	1,000	812	7,333
Ernesto M Petrone	520	444	410	343	347	322	420	496	3,302
Write-Ins	5	8	6	4	10	7	7	3	50
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

RVSD - Chelsea									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	940	731	731	831	743	612	867	808	6,263
Michael T Wall	1,174	1,060	1,014	985	1,002	795	1,103	991	8,124
Write-Ins	8	6	10	2	15	4	7	9	61
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

**State Election
November 6, 2012
Official Certified Results**

Pursuant to the Warrant and the Constable's Return thereon, a State Election was held for all eight precincts at the Hawkes Field House, Oakland Road. The Declaration of Polls being according to the Warrant by the Town Clerk, Laura A Gemme. The ballot boxes were examined by the respective Wardens and Police Officer on duty and each found to be empty and registered 000.

The Town Clerk declared the polls open at 7:00 a.m. and closed at 8:00 p.m., with the following results:

17,582 Registered Voters
14,448 Ballots Voted

14,448 Total Ballots

82.2% of registered voters cast as follows:

RVSD - Malden									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	967	759	755	861	791	630	908	835	6,506
Jeanne M Feeley	1,145	1,030	990	954	957	778	1,060	967	7,881
Write-Ins	10	8	10	3	12	3	9	6	61
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

RVSD - Melrose									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	998	782	782	873	811	659	919	858	6,682
Henry S Hooton	1,118	1,006	964	944	936	749	1,052	944	7,713
Write-Ins	6	9	9	1	13	3	6	6	53
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

RVSD - North Reading									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	963	761	760	852	783	641	892	826	6,478
Judith Dymont	1,153	1,030	985	965	964	767	1,079	977	7,920
Write-Ins	6	6	10	1	13	3	6	5	50
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

RVSD - Reading									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	866	697	696	700	701	578	813	741	5,792
Robert S McCarthy	1,249	1,093	1,052	1,115	1,046	831	1,160	1,061	8,607
Write-Ins	7	7	7	3	13	2	4	6	49
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

**State Election
November 6, 2012
Official Certified Results**

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14,448 Ballots Voted

14,448 Total Ballots

82.2% of registered voters cast as follows:

RVSD - Revere									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	1,031	818	802	906	839	668	949	871	6,884
Ronald J Jannino	1,083	974	945	910	906	740	1,022	931	7,511
Write-Ins	8	5	8	2	15	3	6	6	53
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

RVSD - Saugus									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	944	727	718	851	751	629	886	824	6,330
Peter Rossetti Jr	901	818	795	709	732	598	795	752	6,100
Arthur Grabowski	271	249	237	254	269	182	288	229	1,979
Write-Ins	6	3	5	4	8	2	8	3	39
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

RVSD - Stoneham									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	1,050	830	800	919	836	685	963	899	6,982
Lawrence M Means	1,065	964	948	895	913	724	1,005	903	7,417
Write-Ins	7	3	7	4	11	2	9	6	49
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

RVSD - Wakefield									
<u>Candidate</u>	<u>Pr 1</u>	<u>Pr 2</u>	<u>Pr 3</u>	<u>Pr 4</u>	<u>Pr 5</u>	<u>Pr 6</u>	<u>Pr 7</u>	<u>Pr 8</u>	<u>Total</u>
Blanks	1,035	835	805	928	843	688	962	900	6,996
Vincent J Carisella	1,081	959	942	888	907	721	1,010	902	7,410
Write-Ins	6	3	8	2	10	2	5	6	42
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

**State Election
November 6, 2012
Official Certified Results**

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14,448 Ballots Voted

14,448 Total Ballots 82.2% of registered voters cast as follows:

RVSD - Winchester									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	1,046	832	811	919	845	688	962	901	7,004
John J Bradley Jr	1,068	961	938	897	902	720	1,010	902	7,398
Write-Ins	8	4	6	2	13	3	5	5	46
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

RVSD - Winthrop									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	1,069	855	832	948	861	704	989	930	7,188
Susan J Bolster	1,045	935	915	868	889	705	982	872	7,211
Write-Ins	8	7	8	2	10	2	6	6	49
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

RVSD - Woburn									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	987	770	748	866	769	658	917	857	6,572
Deborah P Davis	737	691	660	638	611	513	663	634	5,147
CB Shaughnessy	394	331	342	311	370	238	389	312	2,687
Write-Ins	4	5	5	3	10	2	8	5	42
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

Question 1									
<i>Candidate</i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	144	98	115	130	143	106	141	136	1,013
Yes	1,731	1,490	1,431	1,494	1,434	1,151	1,625	1,479	11,835
No	247	209	209	194	183	154	211	193	1,600
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

**State Election
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14,448 Ballots Voted

14,448 Total Ballots

82.2% of registered voters cast as follows:

Question 2									
<i><u>Candidate</u></i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	47	62	53	44	54	44	52	52	408
Yes	970	806	781	851	833	655	940	824	6,660
No	1,105	929	921	923	873	712	985	932	7,380
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

Question 3									
<i><u>Candidate</u></i>	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Pr 7	Pr 8	Total
Blanks	60	64	54	45	60	40	58	52	433
Yes	1,217	969	1,004	1,036	1,040	829	1,142	993	8,230
No	845	764	697	737	660	542	777	763	5,785
Total	2,122	1,797	1,755	1,818	1,760	1,411	1,977	1,808	14,448

A true copy. Attest:



Laura A Gemme
Town Clerk

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Officer's Return, Reading:

By virtue of this Warrant, I, Alan Ulrich on October 11, 2012 notified and warned the inhabitants of the Town of Reading, qualified to vote on Town affairs, to meet at the place and at the time specified by posting attested copies of this Town Meeting Warrant in the following public places within the Town of Reading:


Precinct 1	J. Warren Killam School, 333 Charles Street
Precinct 2	Reading Police Station, 15 Union Street
Precinct 3	Reading Municipal Light Department, 230 Ash Street
Precinct 4	Joshua Eaton School, 365 Summer Avenue
Precinct 5	Reading Library, Local History Room, 64 Middlesex Avenue
Precinct 6	Barrows School, 16 Edgemont Avenue
Precinct 7	Birch Meadow School, 27 Arthur B Lord Drive
Precinct 8	Wood End School, 85 Sunset Rock Lane
	Town Hall, 16 Lowell Street

The date of posting being not less than fourteen (14) days prior to November 13, 2012 the date set for the Town Meeting in this Warrant.

I also caused a posting of this Warrant to be published on the Town of Reading website on October 11, 2012.


Alan Ulrich, Constable

A true copy Attest:


Laura Gemme, Town Clerk

TOWN WARRANT



COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

To any of the Constables of the Town of Reading, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Reading, qualified to vote in elections and Town affairs, to meet at the Reading Memorial High School Auditorium, 62 Oakland Road, in said Reading, on Tuesday, November 13, 2012, at seven-thirty o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with the provisions of the Reading Home Rule Charter.

ARTICLE 1 To hear and act on the reports of the Board of Selectmen, Town Accountant, Treasurer-Collector, Board of Assessors, Director of Public Works, Town Clerk, Tree Warden, Board of Health, School Committee, Contributory Retirement Board, Library Trustees, Municipal Light Board, Finance Committee, Cemetery Trustees, Community Planning & Development Commission, Conservation Commission, Town' Manager and any other Board or Special Committee.

Board of Selectmen

ARTICLE 2 To choose all other necessary Town Officers and Special Committees and determine what instructions shall be given Town Officers and Special Committees, and to see what sum the Town will raise by borrowing or transfer from available funds, or otherwise, and appropriate for the purpose of funding Town Officers and Special Committees to carry out the instructions given to them, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 3 To see if the Town will vote to amend the FY 2013 - FY 2022, Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 4 To see if the Town will vote to amend one or more of the votes taken under Article 13 of the April 23, 2012 Annual Town Meeting relating to the Fiscal Year 2013 Municipal Budget, and see what sum the Town will raise by borrowing or transfer from available funds, or otherwise, and appropriate as the result of any such amended votes for the operation of the Town and its government, or take any other action with respect thereto.

Finance Committee

ARTICLE 5 To see if the Town will vote to authorize the payment during Fiscal Year 2013 of bills remaining unpaid for previous fiscal years for goods and services actually rendered to the Town, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 6 To see if the Town will vote to transfer funds received from the Commonwealth of Massachusetts in payment for development within the Town's 40R Smart Growth Zoning Districts from Free Cash into the Smart Growth Stabilization Fund, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 7 To see if the Town will vote to transfer funds into the Sick Leave Stabilization Fund, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 8 To see if the Town will vote to authorize the Board of Selectmen to accept the conveyance of drainage easements located at 152 and 156 Walnut Street which easements are shown on a plan entitled: " Drainage Easement located at 152 and 156 Walnut Street, Reading Ma" upon such terms and conditions and for such consideration as the Board of Selectmen deems to be in the best interest of the Town, or take any other action with respect thereto

Board of Selectmen

ARTICLE 9 To see what sum the Town will raise by borrowing pursuant to G.L. Chapter 44, §7(1) or transfer from available funds, or otherwise, and appropriate for the purpose of reconstructing surface drains, sewers and sewerage systems, including the costs of engineering services, plans, documents, cost estimates, bidding services and all related expenses incidental thereto and necessary in connection therewith, said sum to be spent under the direction of the Town Manager; and to see if the Town will authorize the Town Manager, the Board of Selectmen, or any other agency of the Town to apply for a grant or grants to be used to defray all or any part of said sewer construction and/or reconstruction and related matters; and to see if the Town will vote to authorize the Town Manager to enter into any or all agreements as may be necessary to carry out the purposes of this Article, and to see if the Town will authorize the Town Manager, the Board of Selectmen, or any other agency of the Town to apply for a non-interest bearing loan from the Massachusetts Water Resources Authority, and to authorize the Treasurer-Collector, with the approval of the Board of Selectmen, to borrow pursuant to said loan, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 10 To see what sum the Town will raise by borrowing or transfer from available funds, or otherwise, and appropriate for the purpose of renovating and expanding the Reading Public Library located at 64 Middlesex Avenue, including the costs of consulting services, audits, plans, documents, cost estimates, bidding services and all related expenses incidental thereto and necessary in connection therewith, said sum to be expended by and under the direction of the Board of Library Trustees and the Town Manager; and to see if the Town will authorize the Board of Library Trustees, Board of Selectmen, Town Manager, or any other agency of the Town, to apply for a grant or grants, to be used to defray the cost of all, or any part of, said improvements; and to authorize the Board of Library Trustees and/or the Town Manager to enter into any and all contracts and agreements as may be necessary to carry out

the purposes of this Article, subject to approval by the voters of the Town of a Proposition 2 ½ debt exclusion for the Town portion of the cost of the project, or take any other action with respect thereto..

Board of Library Trustees

ARTICLE 11 To see if the Town will vote to accept the following roads as public ways pursuant to M.G.L. c.82, and to discontinue portions of the following roads, both in accordance with the layouts adopted by the Board of Selectmen and on file with the Office of the Town Clerk:

Jacob Way
South Street

and to authorize the Board of Selectmen to accept deeds of easement and for the fee in said roads; and to authorize the Board of Selectmen to purchase, or take such ways in fee or rights of easement by eminent domain under the provisions of M.G.L. c.79;,, or to acquire said lands in fee or rights of easement therein by purchase, gift or otherwise, and to assess betterments therefore pursuant to M.G.L. c.80; and to see what sum the Town will raise by borrowing, or from the tax levy, or transfer from available funds, or otherwise, and appropriate for the acquisition of said lands or easements therein or for payment of any eminent domain damages and for the construction of said ways, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 12 To see if the Town will vote to amend the Reading General Bylaw by adding the following section 8.11:

Section 8.11 Trash Collection

No person shall collect, or cause others to collect trash, rubbish, garbage, recycling, offal or other offensive substances (whether from dumpsters, barrels, or otherwise, and whether on the public way, a private way or any lot) after 9:00 PM and before 6:30 AM in any residential district of the Town or within 100 yards of such a district as shown on the then current Zoning Map. or take any other action with respect thereto

Board of Selectmen

ARTICLE 13 To see if the Town will vote to rescind the entirety of Section 7.2 of the Reading General Bylaw and replace it with the following,

7.2 Historic Demolition Delay

7.2.1 Purpose

The purpose of this bylaw is to provide the Reading Historical Commission with a tool to assist the Commission in its efforts to preserve the Town's heritage and to protect historically significant structures within the Town, which reflect or constitute distinctive features of the architectural, cultural, economic, political or social history of the Town.

The purpose of this bylaw, even if it ultimately cannot prevent demolition, is to find a reasonable option to prevent complete demolition, and to provide owners of such structures with time to consider alternatives, by encouraging owners to seek out ways to preserve, rehabilitate, or restore such structures

To achieve these purposes, the Reading Historical Commission is empowered to create a List of Historic Structures, and to provide a copy of that List, as it may be updated from

time to time, to the Building Inspector. With the Building Inspector, the Reading Historical Commission will implement the provisions of this bylaw with respect to the issuance of permits for demolition of structures that are included on the List of Historic Structures

7.2.2 Definitions

The following terms when used in this bylaw shall have the meanings set forth below.

7.2.2.1 Commission

Reading Historical Commission.

7.2.2.2 Demolition

Any act of pulling down, destroying, removing or razing a structure or commencing the work of total destruction with the intent of completing the same which work would require a Demolition Permit.

7.2.2.3 Demolition Application

An official application form provided by the Building Inspector for an application for a Demolition Permit.

7.2.2.4 Hearing

A public hearing conducted by the Commission after due public notice as provided in this bylaw.

7.2.2.5 Legal Representative

A person or persons legally authorized to represent the owner of a structure that is or is proposed to be subject to this bylaw.

7.2.2.6 List

The List of Historic Structures as it is constituted pursuant to this bylaw.

7.2.2.7 Owner

Current owner of record of a structure that is included in or proposed to be included in the List of Historic Structures.

7.2.2.8 Premises

The parcel of land upon which a demolished structure that appears on the List as defined in 7.2.2.6 was located and all adjoining parcels of land under common ownership or control.

7.2.2.9 Structure

Materials assembled at a fixed location to give support or shelter, such as a building.

7.2.3 Commission to Establish a List of Historic Structures

The Commission will provide a List of Historic Structures to the Building Inspector. This List shall be updated from time to time as needed when properties are added to or subtracted from the List of Historic Structures. The List shall also be provided on the Town's web site or other electronic means of publishing information to the community.

This List shall be made up of:

- all structures listed on, or located within an area listed on, the National Register of Historic Places, or the Massachusetts Historical Register of Historic Places ; and
- all structures included in the Town of Reading Historical and Architectural Inventory, as of September 1, 1995, maintained by the Commission; and

- all structures that were added in 2010 pursuant to the processes in existence at that time; and
- following the procedures included in Section 7.2.3.1 of this bylaw, all structures that have been determined from time to time by the Commission to be historically or architecturally significant.

7.2.3.1 Procedures for expanding the List

In considering additional structures to be included on the List, pursuant to section 7.2.3, the following process shall be followed:

- The Commission shall prepare, or cause to be prepared, an inventory form for each structure considered for addition to the List. The inventory form for each property shall be prepared using a standard form provided by the Massachusetts Historical Commission. The criteria to be used for consideration for inclusion on the List will include:
 - The structure is determined to be importantly associated with one or more historic persons or events, or
 - The structure is determined to be associated with the broad architectural, cultural, economic or social history of the Town or Commonwealth, or
 - The structure is believed to be historically or architecturally significant in terms of:
 - Period,
 - Style,
 - Method of building construction,
 - Association with a significant architect, builder or resident either by itself or as part of a group of buildings;
- The Commission will inform by regular US mail each property owner whose structure is being considered for preparation of an inventory form
- The owner of each structure for which an inventory form has been prepared shall be sent a notice of a public hearing at least 30 days in advance of the hearing. The notice shall be sent by Certified Mail – return receipt requested – or by service by a Constable. The notice shall include the following information:
 - that the structure that they own is being considered for inclusion on the List,
 - a copy of the inventory form for the structure,
 - a statement as to the criteria considered in including additional structures on the List, and
 - a copy of this bylaw.

In addition to the notice of the hearing delivered to each owner, legal notice of the hearing including the street address of all structures proposed to be added to the List shall be published at the Commission's expense at least 14 days in advance of the hearing in a newspaper of general circulation in the community. Additionally, at least 7 days prior to the hearing a copy of the newspaper notice will be mailed by regular U.S. mail to all property owners within 300 feet of each property containing a structure to be considered for inclusion on the List.

At the hearing, the Commission will hear comment from all owners and abutters who wish to be heard, and following the close of the hearing the Commission will make a determination as to which of the structures proposed for inclusion on the List of Historic Structures shall be voted onto that List. The decision as to what properties to include shall be made by the Commission, with the inclusion of a property on the List requiring the affirmative vote of at least 4 members of the Commission. The vote shall be taken at a public meeting, and the vote may be made either the same day as the close of the hearing, or at a later meeting of the

Commission. If at a later meeting, the Commission shall inform each owner either upon closing the hearing or by regular US mail at least 3 days in advance of a public meeting, of the date of the meeting at which the matter is to be further discussed. Nothing shall preclude the Commission from voting to add structures onto the List at different meetings.

7.2.3.2 Owner's Appeal of addition of a structure to the List

An owner, at the public hearing at which additions to the List are to be considered, may object to inclusion of their structure onto the List. At the hearing or such later date as agreed by the Commission, the owner shall submit information or documentation in support of their objection. The Commission may consider their objection at the hearing and/or subsequent public meetings, and the Commission shall not vote to include the structure in question onto the List until all information supplied by the owner can be fully considered by the Commission. In considering whether to finally vote to include a structure on the List the Commission will consider the information provided by the owner, and particularly how the structure meets the criteria established in 7.2.3.1. In addition to those criteria, the Commission will consider the uniqueness of the structure, quality of the materials remaining on the outside of the structure, and financial or other hardship that might be created to the owner by inclusion of the structure onto the List. A structure whose owner objects may only be included on the List if all 5 members of the Commission vote to do so.

7.2.4 Referral of Demolition Applications of structures on the List by the Building Inspector to the Commission

Upon the receipt of a completed Demolition Application for a structure on the List, the Building Inspector shall

- As soon as possible but not later than 30 days from the submission of a complete Demolition Application, notify the owner that the structure they want to demolish is on the List, and therefore subject to this bylaw.
- Provide the owner with a packet to apply to the Commission for demolition approval, along with a copy of the inventory of their structure, a copy of this bylaw, and a copy of any guidelines that the Commission has adopted regarding the demolition delay process.
- Inform the Chairman of the Commission of a pending application under this bylaw.
- Obtain an abutters list, at the expense of the owner, of all properties within 300 feet.
- Upon receipt of a completed application for Commission demolition approval, determine the completeness of the application.
- Notify the Chairman of the Commission who will provide the Building Inspector with alternative dates for a public hearing not sooner than 7 days nor more than 21 days from the determination that the application to the Commission is complete
- Arrange for the publication of a legal notice of the hearing, at the owner's expense, in a newspaper of general circulation in the community including the street address of all structures proposed to be demolished. The notice shall be published not later than 14 days prior to the hearing.
- Arrange for a mailing not later than 7 days prior to the hearing, at the owner's expense, of a copy of the newspaper notice to all property owners within 300 feet of the property containing a structure to be considered for demolition.
- Immediately forward a copy of the application to each of the members of the Commission.

7.2.4.1 Completed Application

The Owner shall be responsible for submitting seven sets of the following information as a completed application prior to the scheduling of the public hearing:

- Completed application form (if any)
- Description of the structure to be demolished (the inventory is an acceptable document for this purpose);
- A demolition plan
- Assessor's map or plot plan showing the location of the structure to be demolished on its property with reference to the neighboring properties;
- Photographs of all facade elevations;
- Statement of reasons for the proposed demolition and data supporting said reasons;
- Description of the proposed reuse of the premises on which the structure to be demolished is located.
- If applicable, the name and contact information of the Legal Representative;

7.2.5 Public Hearing

The Commission will hold a hearing to allow all interested parties to voice their opinions and to present pertinent information concerning the structure, as well as its value and importance to the neighborhood and the Town. The Owner or the Legal Representative will present the requested demolition plan and supporting documentation. The public may present their opinions and additional relevant information. After the presentation and the public comments, the Commission will make one of two decisions:

- The presented information is insufficient for the Commission to make a final determination on requested demolition of the Structure. Therefore, the Commission may continue the hearing. A continued hearing shall be not later than 21 days from the initial hearing and the hearing shall be closed within 30 days of the initial hearing.
- The presented information is sufficient to make a final determination on the requested demolition of the Structure. Therefore, the Commission shall close the hearing.

7.2.6 Determination of whether the Demolition Delay is imposed

Once the Hearing is closed, a motion shall be made to determine if the loss of the structure would be detrimental to the Town when considering the purpose of this bylaw as detailed in section 7.2.1:

- An affirmative vote by 4 members of the Commission will declare that the structure is protected by this Bylaw, and therefore, a demolition delay of up to six (6) months is imposed beginning the date of the vote.
- A negative vote by the Commission (affirmative vote of less than 4 members of the Commission) will declare that the structure is not protected by this Bylaw, and the Building Inspector may issue a permit to demolish the structure.

The Commission will notify the Building Inspector within seven (7) days of the Commission's decision. If the notice is not received within the expiration of seven (7) days of the close of the hearing, the Building Inspector may act on the Demolition Permit Application with no further restrictions of this bylaw.

7.2.6.1 Demolition Delay imposed

The Commission shall advise the Owner and the Building Inspector of the determination that the Demolition Permit will be delayed up to six (6) months. During this time, alternatives to demolition shall be considered. The Commission shall offer to the Owner information about options other than demolition, including but not limited to resources in the preservation field, the Massachusetts Historical Commission, the Town Planner, and other interested parties that might provide assistance in preservation or adaptive reuse.

7.2.6.2 Responsibilities of Owner if Demolition Delay is imposed

The Owner shall be responsible for participating in the investigation of options to demolition by:

- Actively pursuing alternatives with the Commission and any interested parties;
- Providing any necessary information;
- Allowing reasonable access to the property; and
- Securing the premises.

7.2.6.3 Release of Delay

Notwithstanding the preceding section of this bylaw, the Building Inspector may issue a Demolition Permit at any time after receipt of written notice from the Commission to the effect that the Commission is satisfied that one of the following conditions has been met:

- There is no reasonable likelihood that either the Owner or some other person or group is willing to purchase, preserve, rehabilitate or restore the structure;
- The Owner, during the delay period, has made continuing, bona fide and reasonable efforts to locate a purchaser to preserve, rehabilitate or restore the structure, and that such efforts have been unsuccessful;
- The Owner has agreed in writing to accept a demolition permit on specified conditions, including mitigation measures approved by the Commission. Such mitigation could include a demolition of only a portion of the structure; or
- A period of six (6) months has elapsed since the conclusion of the Hearing referenced in section 7.2.5.

7.2.6.4 Appeal of the imposition of Demolition Delay

The owner of a structure for which the Commission has imposed a demolition delay may appeal from the imposition of the delay, and/or conditions of the imposition of the delay, by filing with the Board of Selectmen a written notice of appeal within fourteen (14) days of the date of the decision of the Commission to impose the Demolition Delay. Filing of an appeal will not extend the delay of up to 6 months imposed under section 7.2.6.1 of this bylaw.

Within twenty-one (21) days of receipt of the notice of appeal, the Board of Selectman shall convene an appeal hearing. Notice of the hearing shall be sent to the Chairman of the Historical Commission and to the owner or the owner's Legal Representative, for the purpose of adjudicating the appeal. The Board of Selectmen at the hearing shall review the record of the proceedings before the Commission and input provided by the owner and by Commission representatives.

Notice of the hearing shall be given to the owner, to the Commission, and to abutters within 300 feet of the property.

Within fourteen (14) days of the conclusion of the hearing, the Board of Selectmen will render a decision on the appeal. The decision shall be based on the record of the Commission's hearing at which the Demolitions Delay was imposed; information provided by the owner or the Commission at the Board of Selectmen hearing; consideration of the purpose of the bylaw as stated in section 7.2.1; how the structure meets the criteria established in 7.2.3.1.; the uniqueness of the structure; quality of the materials remaining on the outside of the structure; and financial or other hardship that might be created to the owner

7.2.7 Emergency Demolition

Nothing in this Section shall be construed to prevent the Building Inspector from ordering pursuant to M.G.L. Chapter 143 the emergency demolition of a structure included in the List of Historic Structures. Before issuing an order for an emergency demolition of such a

structure, the Building Inspector shall make reasonable efforts to inform the Chairperson of the Commission of his intent to issue such an order.

7.2.8 **Enforcement and Remedies**

In the event a structure on the List of Historic Structures is demolished in violation of this bylaw, then no building permit shall be issued for the premises for a period of two (2) years after the date of such demolition.

or take any other action with respect thereto.

Board of Selectmen

ARTICLE 14 To see if the Town will vote to amend Article 1, Section 1.8 Non-Criminal Civil Disposition of Certain Violations of the Bylaw, by:

- changing the title to read: Non-Criminal Civil Disposition of Certain Violations of the Bylaws and any Rule or Regulation of a town officer, board or department";
- amending the first sentence to add after the word "bylaw" the following: and any rule or regulation of any town officer, board or department; and
- deleting the monetary penalties set out in Section 7.1 and adding the following subsections so that Section 7.1 Wetlands Protection should read as follows:

Bylaw Section	Bylaw Title	Enforcing Person	Penalty First Offense	Penalty Second Offense	Penalty Additional Offenses
7.1	Wetlands Protection	Conservation Commission Conservation Administrator			
Regulation Section 2.H.	a. Failure to file a Notice of Intent or Request for Determination of Applicability and to receive a valid Order of Conditions or Determination of applicability prior to activity.		\$300.00		
	b. Failure to promptly comply with an Enforcement Order		\$300.00		
	c. Failure to record Order of Conditions at the Registry of Deeds prior to activity.		\$ 25.00		
	d. Failure to notify the Commission prior to activity where a Condition of an Order of Conditions or a Request for Determination or a Minor Project permit requires such notice.		\$ 25.00		
	e. Failure to install and/or properly maintain erosion controls (per project).		Warning	\$ 25.00	\$100.00
	f. Failure to comply with any Condition of an Order of Conditions or Determination of applicability or Minor Project permit		\$ 25.00		
	g. Failure to apply for a Certificate of		Warning	\$ 50.00	

Compliance in a timely manner.	
h. Conducting an activity subject to the Bylaw and Regulations after the expiration of a valid Order of Conditions or Determination of Applicability.	\$ 50.00

or take any other action with respect thereto.

Conservation Commission

ARTICLE 15 To see if the Town will vote to amend Section 2.0 "Definitions", Section 4.2.2 "Table of Uses" of the Town of Reading Zoning By-Laws as follows: (note – cross-through represents language to be eliminated and **bold** represents new language)

Section 2.0 Definitions:

2.2.21.2 Medical Marijuana Treatment Center: a not-for-profit entity, as defined by Massachusetts law only, registered under this law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana products containing marijuana, related supplies, or educational material to qualifying patients or their personal caregivers.

2.2.21.3 Mixed Use: The combining of retail/commercial and/or service uses with residential or office use in the same building or on the same site. (Note: this change is as a result of renumbering)

Section 4.2.2. Table of Uses by adding "*Medical Marijuana Treatment Center*" as a use classified under Business and Services and listed after "Adult Uses".

4.2.2 Table of Uses

PRINCIPAL USES	Res S-15 S-20 S-40	RES A-40	RES A-80	BUS A	BUS B	BUS C	IND
Medical Marijuana Treatment Center	No	No	No	No	No	No	No

Or take any other action with respect thereto.

Community Planning and
Development Commission

ARTICLE 16 To see if the Town will vote to amend Section 2.0 "Definitions", Section 6.1 "Off Street Parking and Loading Areas" of the Town of Reading Zoning By-Laws as follows: (note – cross-through represents language to be eliminated and **bold** represents new language)

2.0 Definitions:

2.2.26.1 Public Off-Street Parking Facility: Parking areas which are owned and maintained by the Town that are open to the general public for the use of public parking. This does not include parking facilities which are owned by the Town with the primary use of providing parking for municipal employees or customers doing business with the Town during normal hours of operation.

2.2.26.2 Remote Parking Facility: Parking areas which are not located on the same lot for the use the parking facility serves.

6.0 GENERAL PROVISIONS AFFECTING ALL DISTRICTS

6.1 Off-Street Parking and Loading Areas

6.1.1 Required Spaces: Off-street Parking and Loading Spaces are required to be provided in accordance with the following provisions:

6.1.1.1 No land shall be used and no building shall be erected, enlarged or used unless off-street parking areas, and off-street loading and unloading areas, conforming in amount and type to that described herein, are provided except that retail stores, offices and consumer service establishments located within three hundred (300) feet of a public off-street parking facility shall be exempted from off-street parking requirements.

6.1.1.2 Off-street parking areas, or loading and unloading areas shall be provided on the same lot as the use they serve, except that the Board of Appeals may permit off-street parking areas to be provided on another lot, but in no event shall such areas be more than three hundred (300) feet distance from the use they serve; provided, however, that in a Business C District, off-street parking areas or loading and unloading areas may be provided on or off the same lot more than three hundred (300) feet distance from the use they serve without such permission from the Board of Appeals so long as they are located within the Business C District and provided such parking and loading rights are evidenced by legally sufficient instruments approved as to form by Town Counsel and filed with the Town Clerk." **except the CPDC, by Special Permit, may allow remote parking lots or shared parking.**

6.1.1.3 (Note this section is deleted under 6.1.1.3 and renumbered as 6.1.1.7)

Off-street parking areas, or loading and unloading areas shall be provided in the amounts set forth in the following table. Where the computation of required spaces results in a fractional number, a fraction of one-half or more shall be counted as one. In the event of a conflict of interpretation as to the category of the principal use, the Board of Appeals shall determine the proper interpretation.

Special Permit Criteria:

The CPDC may grant a Special Permit for remote parking or shared parking based on the following criteria and other applicable provisions presented in this subsection:

- (a) The capacity, location and current level of use of existing parking facilities, both public and private;
- (b) The efficient and maximum use in terms of parking needs and services provided;
- (c) The relief of traffic and parking congestion;
- (d) The safety of pedestrians;
- (e) The provision of reasonable access either by walking distance or shuttle vehicle arrangements;
- (f) The maintenance of the character of the area.

6.1.1.4 Procedure:

Filing for a special permit shall follow all procedures required for Site Plan Review under 4.3.3 of this Bylaw.

6.1.1.5 Remote Parking:

The CPDC may grant a Special Permit for an alternative location for nonresidential parking subject to the following provisions:

(a) the property to be occupied as parking shall be in the same possession by deed, by easement or by written agreement (e.g. long-term lease) as the facility served. All written agreements shall be subject to CPDC approval as to form and length of time and a copy of the agreement shall be filed with and made part of the application for a building or occupancy permit.

(b) Except where valet parking or other transportation between sites is provided, the distance between the site of use and its parking area shall be recommended to be four hundred (400) feet with a maximum of six hundred (600) feet.

(c) The remote parking area shall not create unreasonable traffic congestion or create a hazard to pedestrians or vehicular traffic.

(d) The remote parking area shall be located on property zoned for the same or other non-residential uses as the principal use being served by the parking.

6.1.1.6 Shared Parking Lots:

The CPDC may grant a Special Permit for shared parking facilities for nonresidential parking subject to the following provisions:

(a) Up to fifty percent (50%) of the parking spaces serving a building may be used jointly for other uses not normally open, used or operated during similar hours. The applicant must show that the peak parking demand and principal operating hours for each use are suitable for a common parking facility. The approval may be rescinded and additional parking may be required by the owners in the event that the CPDC, after notice and public hearing thereon, determines the joint use is resulting in a public nuisance or other adverse effects on public health and safety.

(b) A written agreement acceptable to the CPDC defining the joint use of the common parking facility shall be executed by all parties concerned and approved by the Planning Board as part of the special permit process. Such agreement shall be recorded at the Middlesex Registry of Deeds.

(c) Any subsequent change in land uses for which the shared parking proposal was approved, and which results in the need for additional parking spaces, shall require review and approval by the CPDC under this subsection.

6.1.1.7 Off-street parking areas, or loading and unloading areas shall be provided in the amounts set forth in the following table. Where the computation of required spaces results in a fractional number, a fraction of one-half or more shall be counted as one. In the event of a conflict of interpretation as to the category of the principal use, the Board of Appeals shall determine the proper interpretation.

Off-Street Parking and Loading/Unloading Requirements:

(Note: Parking table does not change, is not repeated here.)

6.1.1.8 Phased Parking Spaces:

The CPDC may grant a Special Permit for the phasing of parking space construction upon sufficient documentation of circumstance such as building size or use with the following provisions:

(a) The total number of required spaces shall be in accordance with the standards set forth in Table 6.1.1.3 and clearly identified on the site plan.

(b) The spaces which are not intended for immediate construction shall be labeled "phased reserve parking" on the site plan and shall be properly designed into the overall parking lot layout.

(c) No more than 50% of the total required spaces may be designated for future construction.

(d) If at any time the Building Inspector and/or CPDC determines that additional spaces may be needed, the "phased spaces" shall be constructed upon formal approval from the CPDC.

Or take any other action with respect thereto.

Community Planning and
Development Commission

ARTICLE 17 To see if the Town will amend the Town of Reading General Bylaws by adding the following to section 8.9.4 Public Buildings, Public Property and Public Ways

8.9.4.4 Display of the United States Flag

The flag of the United States shall be displayed in or on all Town of Reading, owned buildings or property, The Burbank Ice Arena, The Municipal Light Department, Reading Housing and any other semi government agency in accordance with US Law 94-344 as may be amended from time to time.

No Board, Committee, Commission, Authority, Department, employee or otherwise shall have the Authority to deviate from said law except by order of the President of the United States or the Governor of the Commonwealth if he or she is so allowed by Presidential Order.

Petition

and you are directed to serve this Warrant by posting an attested copy thereof in at least one (1) public place in each precinct of the Town not less than fourteen (14) days prior to November 13, 2012, or providing in a manner such as electronic submission, holding for pickup or mailing, an attested copy of said Warrant to each Town Meeting Member.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at or before the time appointed for said meeting.

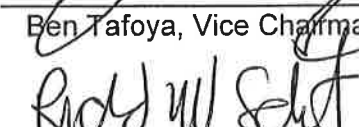
Given under our hands this 25th day of September, 2012.



Stephen A. Goldy, Chairman



Ben Tafoya, Vice Chairman



Richard W. Schubert, Secretary



John J. Arena



James Bonazoli



Alan Ulrich, Constable

SELECTMEN OF READING

SUBSEQUENT TOWN MEETING

Reading Memorial High School

November 13, 2012

The Precincts listed below met at 7:00 PM to conduct the following business:

Precinct 2 - With a Quorum present there was a discussion of potential candidates.

Precinct 3 - With a Quorum present a vote was taken to fill a vacancy. Rachelle Garcia was voted in with 13 votes.

Precinct 6 - With a Quorum present a vote was taken to fill a vacancy. Valarie Perry was voted in with 14 votes.

The meeting was called to order by the Moderator, Alan E. Foulds, at 7:38 PM, there being a quorum present. The Invocation was given by Fran Sansalone, Precinct 7 followed by the Pledge of Allegiance to the Flag.

The Warrant was partially read by the Town Clerk, Laura Gemme, when on motion by Ben Tafoya, Board of Selectmen, it was voted to dispense with further reading of the Warrant.

ARTICLE 1: Moved to hear and act on the reports of the Board of Selectmen, Town Accountant, Treasurer-Collector, Board of Assessors, Director of Public Works, Town Clerk, Tree Warden, Board of Health, School Committee, Contributory Retirement Board, Library Trustees, Municipal Light Board, Finance Committee, Cemetery Trustees, Community Planning and Development Commission, Conservation Commission, Town Manager and any other Board or Special Committee.

Background: This article appears on the Warrant for all Town Meetings. At this Subsequent Town Meeting, the following report(s) are anticipated:

- RMLD Annual Report
- State of the Schools

Finance Committee Report: No report

Bylaw Committee Report: No report

On motion made by Ben Tafoya, Board of Selectmen Article 1 was tabled

ARTICLE 2: Moved to choose all other necessary Town Officers and Special Committees and determine what instructions shall be given Town Officers and Special Committees, and to see what sum the Town will raise by borrowing or transfer from available funds, or otherwise, and appropriate for the purpose of funding Town Officers and Special Committees to carry out the instructions given to them, or take any other action with respect thereto.

Background: This Article appears on the Warrant of all Town Meetings. The Town Moderator requires that all proposed Instructional Motions be submitted to the Town Clerk in advance so that Town Meeting Members may be "warned" as to the subject of an Instructional Motion in advance of the motion being made. Instructional Motions are normally held until the end of all other business at Town Meeting.

Finance Committee Report: No report

Bylaw Committee Report: No report

William C Brown, Precinct 8 moved that a joint committee of the Board of Selectmen and the School Committee establish Rules and Regulations for the proper display of the United States Flag on all buildings and property where displayed under their control.

Motion Carried

On motion made by Ben Tafoya, Board of Selectmen Article 2 was tabled

William C Brown, Precinct 8 moved to take up Article 17 Out of Order

Motion to take Article 17 Out of Order Carried

ARTICLE 17: William C Brown moved to Indefinitely Postpone Article 17

Motion to Indefinitely Postpone Carried

ARTICLE 3: Rick Schubert moved that the Town vote to amend the FY 2013 - FY 2022, Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter by approving the following amendments:

Ben Tafoya moved to dispense of the reading of the Article

Motion to Dispense Carried

General Fund

FY13 + \$ 424,000:

- ◆ \$ 350,000 DPW roads - Design work for Downtown Project Phase II;
- ◆ \$ 42,000 Town facilities - Fire station equipment & repairs;
- ◆ \$ 32,000 Town facilities - Senior Center kitchen repairs;
- ◆ \$ 0 Schools - change purpose of \$400k from modular classrooms to the feasibility of alternatives in order to address school space needs;
- ◆ \$ 0 Town facilities - West Side Fire Station generator (funded by FINCOM Reserve Fund transfer)

FY14 - \$ 109,800 (excluding last item):

- ◆ \$ 15,000 School fac. - Joshua Eaton electrical systems;
- ◆ \$ +10,000 School fac. - Coolidge carpet increased from \$ 10,000;
- ◆ \$ -35,000 School fac. - Parker carpet moved out to FY15;
- ◆ \$ 10,000 School fac. - Parker mason repairs rear stairwell;
- ◆ \$ 12,000 Town fac. - DPW windows/doors;
- ◆ \$ 15,000 Town fac. - Town Hall reconfigure office space;
- ◆ \$ 60,000 Technology - regional GIS flyover;
- ◆ \$ +6,000 Firefighter turnout gear increased to \$ 136,000;
- ◆ \$ -5,000 Fire Department hose replacement reduced to \$ 20,000;
- ◆ \$ 30,000 DVR video technology (Dispatch);
- ◆ \$ 25,000 Parking/Animal Control vehicle;
- ◆ \$ -35,000 Police Vehicle Video Integration moved out to FY16;
- ◆ \$ 115,000 DPW Sander moved up from FY19, decrease amount from \$ 123,000;
- ◆ \$ +15,000 DPW Ford Utility pickup #11 increased to \$ 50,000;
- ◆ \$ 55,000 DPW Ford Pickup Utility #C1 moved up from FY15;

- ◆ \$ 140,000 DPW Snow Plow moved up from FY20 and reduced from \$ 145,000;
- ◆ \$ -37,800 DPW Eager Beaver Trailer eliminated;
- ◆ \$ -500,000 DPW Birch Meadow Pavilion moved out to FY15;
- ◆ \$ 5 million Downtown Project Phase II

FY15 to FY22:

- ◆ Various items were added, subtracted, changed or moved to different years.

or take any other action with respect thereto

Background: At the beginning of this article there will be a report by Town, Library, and School officials on 5 pending - potential capital projects:

- The Library renovation and addition, which has been awarded a \$5.1 million state construction grant;
- The Killam School project for improvements to handicapped accessibility, fire sprinkler, energy improvements (primarily windows), replacement of the gym floor, and a small addition to the administrative areas;
- A potential project or projects to address space needs related to changes in program requirements - primarily full day kindergarten;
- A review of the potential for a Downtown Improvement project - Phase 2 including work on Haven, High, Chute, Linden Sanborn, and Washington Streets;
- A review of identified water distribution system capital projects.

The following amendments are proposed to the FY 2013 - FY 2022 Capital Improvements Program (CIP) as previously approved at Annual Town Meeting in April 2012. These amendments need to be included in the CIP in order for Town Meeting to consider funding them under the various Articles at Town Meeting. The full revised CIP is included in the blue pages in the back of this report.

Finance Committee Report: At the October 17, 2012 meeting, the Finance Committee voted to recommend the subject matter of this Article 3 by a vote of 7-0-0. This Article allows capital items to be placed in the plan for consideration and a vote in later Articles at this and future Town Meetings. A 10-year balanced capital plan is a prudent fiscal tool that facilitates long range planning and prioritization.

This Article addresses a number of routine modifications to the capital plan, as well as a few noteworthy and material items:

Library - Reading has a tremendous opportunity in the near term to address needed repairs and to modernize and expand the library with partial funding from the State. We started this discussion two years ago and will continue it at this Town Meeting and in a Special Town Meeting in early 2013;

Killam - Repairs and renovation are required. The timing is less certain and is geared around Reading applying for and receiving State funds to partially offset costs;

School Space Needs - With the future desire to move to full day kindergarten and possibly expand pre-school offerings, this Article begins the discussion by repurposing the previously authorized \$400K of funds to seek out the optimal classroom solution for Reading. It is recommended that remaining funds be returned to free cash once recommendations to the School Committee have been provided in FY13;

Downtown Improvements Phase II - Downtown improvements under Phase I have transformed Reading. Funding for design work would be one of the first steps if Reading opts to move forward with Phase II. In Article 4 there will be discussion of the actual design funding request and the Finance Committee's views on the priority of the project;

Water Quality - Although not addressed in this Town Meeting, it is important to consider the ongoing and potential increase in capital expenditures. The Board of Selectmen is considering the added capital which may be needed to maintain water quality. This is currently funded outside the Town's capital plan through water and sewer fees. Additional information is anticipated from the BOS in the coming weeks and months.

All of these projects are well worth considering and bring benefits to Reading. The Finance Committee supports them being added to the capital plan. It is important to next consider the priority and benefits of each carefully balanced against the impact to the budget and to the Citizens of Reading.

Bylaw Committee Report:No report

Reports given by:

- Peter Hechenbleikner - Introduction - See Attached
- David Hutchinson - Library - See Attached
- John Doherty - School Space - See Attached
- Mary DeLai - Killam - See Attached
- George Zambouras - Downtown Phase 2 - See Attached
- George Zambouras - Water Quality - See Attached

Presentation given by:

- Bob LeLacheur - See Attached

Fred Van Magness, Precinct 8 moved for an amendment to remove "\$ 350,000 DPW roads - Design work for Downtown Project Phase II"

Motion to Amend Does Not Carry

After discussion among Town Meeting Members a vote was taken

Motion Carried as Originally Proposed

ARTICLE 4: Barry Berman, Finance Committee moved that the Town vote to amend the votes taken under Article 13 of the April 23, 2012 Annual Town Meeting relating to the Fiscal Year 2013 Municipal Budget as follows, and that the Town transfer from the Tax Levy, State Aid and Other Local Receipts, from Free Cash and from the Sick Leave Buy-back Stabilization fund and appropriate those sums as noted for the operation of the Town and its government:

James Bonazoli moved to dispense of the reading of the Article

Motion to Dispense Carried

General Fund – Wages and Expenses

<u>Account Line</u>	<u>Decrease</u>	<u>Increase</u>
C99 - Capital (Town Facilities)		\$ 74,000
G91 - Town Admin. wages		\$ 53,000
I91 - Finance wages	\$ 60,000	
I92 - Finance expenses		\$ 97,600
J92 - FINCOM Reserve Fund		\$ 30,000
K91 - Community Services wages		\$ 21,000
K92 - Community Services expenses	\$ 500	
L91 - Library wages		\$ 9,950
M92 - Public Works expenses	\$ 1,600	

Account Line	Decrease	Increase
N91 - Public Safety wages		\$ 111,750
N92 - Public Safety expenses	\$ 6,750	

or take any other action with respect thereto

Background:

General Fund - Wages and Expenses

Account Line	Description	Decrease	Increase
C99 - Capital (Town Facilities)	Senior Center kitchen \$ 32,000 Fire Station equipment and repairs \$ 42,000		\$ 74,000
G91 - Town Admin wages	Town Manager transition (severance plus overlap)		\$ 53,000
I91 - Finance wages	Regional Appraiser position no longer a wage paid to a Town employee	\$ 60,000	
I92 - Finance expenses	Regional Appraiser position now an expense paid to Wakefield \$ 50,000 Communications technology (\$ 18k new for field use; \$ 14.6k centralized) \$ 32,600 Town Manager transition consulting and expenses (HR) \$ 15,000		\$ 97,600
J92 - FINCOM Reserve Fund	Replenish for replacing the West Side Fire Station generator in September 2012		\$ 30,000
K91 - Community Services wages	Increase Veteran's Services Officer from 19hrs to 37.5hrs per week		\$ 21,000
K92 - Community Services expenses	Centralize communications technology budgets -\$ 500 (Elder - Human services)	\$ 500	
L91- Library wages	Sick and Vacation buyback**		\$ 9,950
M92 - Public Works expenses	Centralize communications technology budgets -\$1,600 (Highway and Parks - Forest)	\$ 1,600	
N91 - Public Safety wages	Police Sick and Vacation buyback** \$16,750 New Police Officer wages (includes projected OT) \$90,000 RCASA partial funding \$5,000		\$ 111,750
N92 - Public Safety expenses	Centralize communications technology budgets - \$12,500 New Police Officer expenses (uniform & clothing allowance) \$+5,750	\$ 6,750	
	Subtotals	\$ 68,850	\$ 397,300
	Net Operating Expenses		\$ 328,450

<u>Account Line</u>	<u>Description</u>	<u>Decrease</u>	<u>Increase</u>
	From Tax Levy, State Aid and Other Local Receipts State aid +\$ 685,784 <u>State charges -\$ 30,676</u> Net State Aid +\$ 655,108		\$ 655,108
	**From Sick and Vacation Stabilization Fund (\$ 30,500 starting balance)		\$ 26,700
	From Free Cash (reduced from \$ 1.0 million to \$ 646,642 used to balance FY13 budget)	\$ 353,358	

Finance Committee Report - given by Barry Berman: The Finance Committee voted 0-7-0 to support a \$ 350,000 capital item for Downtown Improvements Phase II at their October 17, 2012 meeting. FINCOM did not have sufficient reason to believe that this project was a higher priority than four other significant capital projects, including the Library and Killam renovations, the School space needs, and the need for water main repairs. Additionally the low percentage of state reimbursement compared to Phase I of the downtown project might want us to target those aspects of the project with the biggest benefit and fund those at a later time.

FINCOM voted to recommend the remaining subject matter of this Article by a vote of 7-0-0 at their October 17, 2012 meeting.

Bylaw Committee Report:No report

Presentation given by:

- Bob LeLacheur - See Attached

Motion Carried

ARTICLE 5: Rick Schubert, Board of Selectmen moved that the Town vote to authorize the payment during Fiscal Year 2013 of bills remaining unpaid for previous fiscal years for goods and services actually rendered to the Town.

- ♦ Reading Trophy & Shirt Co. in the amount of \$1,090.85 for 8th grade awards.

or take any other action with respect thereto.

Background:An invoice was received in the October accounts payable warrant that pertains to FY12. The invoice is for Reading Trophy & Shirt Co in the amount of \$ 1,090.85. The invoice is for 8th grade awards ordered in June 2012. Per discussion with the School Department central office the party placing the order neglected to issue a PO. This may be due to some confusion about who would be paying the bill. In some cases these award invoices have been paid by the PTO.

Finance Committee Report - given by Paula Perry: The Finance Committee recommends the subject matter of this Article by a vote of 7-0-0 at their October 17, 2012 meeting.

Bylaw Committee Report:No report

Presentation given by:

- Sharon Angstrom - See Attached

9/10 Vote Required
Declared Unanimous by Moderator
156 Town Meeting Members in Attendance

Motion Carried

John J Arena, Board of Selectmen moved to take up Article 15 Out of Order

Motion to take Article 15 Out of Order Carried

ARTICLE 15: Charlie Adams, CPDC moved that the Town vote to amend Section 2.0 "Definitions", Section 4.2.2 "Table of Uses" of the Town of Reading Zoning By-Laws as follows: (note - ~~cross-through~~ represents language to be eliminated and **bold** represents new language)

Stephen Goldy moved to dispense of the reading of the Article

Motion to Dispense Carried

Section 2.0 Definitions:

2.2.21.2 Medical Marijuana Treatment Center: a not-for-profit entity, as defined by Massachusetts law only, registered under this law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana products containing marijuana, related supplies, or educational material to qualifying patients or their personal caregivers.

~~2.2.21.2~~ **2.2.21.3 Mixed Use:** The combining of retail/commercial and/or service uses with residential or office use in the same building or on the same site. (Note: this change is as a result of renumbering)

Section 4.2.2. Table of Uses by adding "*Medical Marijuana Treatment Center*" as a use classified under Business and Services and listed after "Adult Uses".

4.2.2 Table of Uses

PRINCIPAL USES	Res S-15 S-20 S-40	RES A-40	RES A-80	BUS A	BUS B	BUS C	IND
Medical Marijuana Treatment Center	No	No	No	No	No	No	No

or take any other action with respect thereto

Background: This article would amend the current Zoning By-laws to include a definition of a "medical marijuana treatment center" as defined in state Ballot Question 3 and prohibit this use in all zoning classifications.

On November 6 the voters of Massachusetts will vote whether to allow "medical marijuana treatment centers" in this state. These businesses would be allowed to acquire, possess,

cultivate, manufacture, deliver, and transport marijuana, including in food form. If it passes, it will allow five (5) of these businesses in each county to dispense up to a 60 day supply of marijuana to a patient with a registration card as supplied by a physician.

This article would not allow this type of business to locate in Reading. Data from the experiences of California, Colorado, and other states have shown an increase in criminal activity because of valuable marijuana crops and large amount of cash, increase in traffic accidents and driving under the influence arrests in which marijuana is implicated, and the loss of other commercial businesses that don't want to be located in the vicinity of marijuana dispensaries.

Finance Committee Report: No report

Bylaw Committee Report - given by Phil Pacino: Recommends by a vote of 4-0-0

The Bylaw Committee is concerned that if the medical marijuana ballot question is approved that the possible placement of a medical marijuana treatment center in Reading will not result in an enhancement of the business interests in the Town. Thus the Bylaw Committee recommends that the subject matter of this article be adopted and that treatment center not be allowed in the Town.

CPDC Report - given by Charlie Adams: On September 24, 2012 the CPDC convened to hold a public hearing on the proposed changes to amend Section 4.2.2 "Table of Uses" to include "Medical Marijuana Treatment Center" and Section 2.0 "Definitions" to add the definition of "Medical Marijuana Treatment Center". All documents were made available on the town website and at Town Hall. The public hearing was held to provide an opportunity for comment and to determine whether the provisions of the proposed zoning amendments shall be adopted by the Town.

On September 24, 2012 Article 15 was taken up at the public hearing at approximately 8:30 p.m. The public hearing was closed that same evening. All comments received at the hearing were included as part of the record of the hearing. CPDC voted 5-0-0 to recommend Article 15 to Town Meeting.

Presentation given by:

- James Cormier, Chief of Police - See Attached
- Elaine Webb, RCASA and Precinct 1 - See Attached

William C Brown, Precinct 8 moved for an amendment to change IND in Table of Use from NO to YES

Motion to Amend Does Not Carry

After discussion among Town Meeting Members as well as Town Counsel a vote was taken

2/3 Vote Required
113 Voted in the affirmative
39 Voted in the negative
156 Town Meeting Members in Attendance

Motion Carried as Originally Proposed

On motion by William Brown Jr, Precinct 8, it was voted that this Annual Town Meeting stand adjourned to meet at 7:30 PM at the Reading Memorial High School Auditorium, on Thursday, November 15, 2012.

Meeting adjourned at 11:11 PM with 156 Town Meeting Members in attendance.

Motion Carried

A true copy Attest:

A handwritten signature in cursive script, appearing to read "Laura A Gemme".

Laura A Gemme
Town Clerk

SUBSEQUENT TOWN MEETING

Reading Memorial High School

November 15, 2012

The meeting was called to order by the Moderator, Alan E. Foulds, at 7:37 PM, there being a quorum present. The meeting began with the Pledge of Allegiance to the Flag.

ARTICLE 6: John Arena, Board of Selectmen moved that the Town vote to transfer the sum of three hundred and nine thousand dollars (\$309,000) received from the Commonwealth of Massachusetts in payment for development within the Town's 40R Smart Growth Zoning Districts into the Smart Growth Stabilization Fund.

or take any other action with respect thereto.

Background: The Town of Reading has received an additional \$309,000 in payments from the State for the 40R Smart Growth projects at 30 Haven Street and at Reading Woods. In a program presented to Town Meeting in the fall of 2011, the Town Manager outlined a 3 to 4 year program of dedicating those funds to one time expenditures - primarily by accelerating the road and sidewalk improvement program.

This article will move that \$309,000 to the stabilization fund. It is anticipated that at the 2013 Annual Town Meeting a request will be made to appropriate all or part of these funds for road improvements consistent with the 3 to 4 year plan.

Finance Committee Report - given by David Greenfield: The Finance Committee recommends the subject matter of this Article by a vote of 7-0-0 at their October 17, 2012 meeting. The funds represent \$3,000 per affordable housing unit within the two 40R Smart Growth Districts. Passing this Article moves the funds from the general fund, where they would ultimately flow to free cash, to the stabilization fund so that they may be used for their intended purpose.

Bylaw Committee Report: No report

Presentation given by:

- Bob LeLacheur - See Attached

2/3 Vote Required
Declared Unanimous by Moderator
141 Town Meeting Members in Attendance

Motion Carried

ARTICLE 7: Stephen Goldy, Board of Selectmen moved that the Town vote to transfer from Free Cash the sum of fifty thousand dollars (\$50,000) into the Sick Leave Stabilization Fund.

or take any other action with respect thereto.

Background: The Town set up a Stabilization Fund a number of years ago to be utilized to pay sick leave buy back and/or accrued vacation leave to employees who are leaving the employ of the Town - usually through retirement. Sick Leave buy-back is being phased out for municipal employees, but there are still a number of employees who are eligible. The fund currently has a balance of \$ 3,800 (if the transfer in Article 4 is approved), and the Town Manager is recommending putting an additional \$ 50,000 into the fund as there are known FY13 future expenses of \$ 41,552 that will be paid out prior to Annual Town Meeting in April 2013.

Prior to having a stabilization fund for this purpose individual department budgets had to anticipate retirements and increase or decrease from year to year to pay such expenses. This resulted in periodic artificial increases in Department budgets, making it difficult to budget from year to year.

Finance Committee Report - given by Jeanne Borawski: The Finance Committee recommends the subject matter of this Article by a vote of 7-0-0 at their October 17, 2012 meeting. The Finance Committee supports the use of a sick Leave Stabilization Fund, as it allows a more accurate historic look at operating budgets, without the distortion of these one-time payments. The practice of "buying out" a retiring Town employee's sick time is being phased out.

Bylaw Committee Report:No report

Presentation given by:

- Bob LeLacheur - See Attached

2/3 Vote Required
Declared Unanimous by Moderator
141 Town Meeting Members in Attendance

Motion Carried

ARTICLE 8: Ben Tafoya, Board of Selectmen moved that the Town vote to authorize the Board of Selectmen to accept the conveyance of drainage easements located at 152 and 156 Walnut Street which easements are shown on a plan entitled: "Drainage Easement located at 152 and 156 Walnut Street, Reading MA" dated August 20, 2012 upon such terms and conditions and for such consideration as the Board of Selectmen deems to be in the best interest of the Town.

or take any other action with respect thereto.

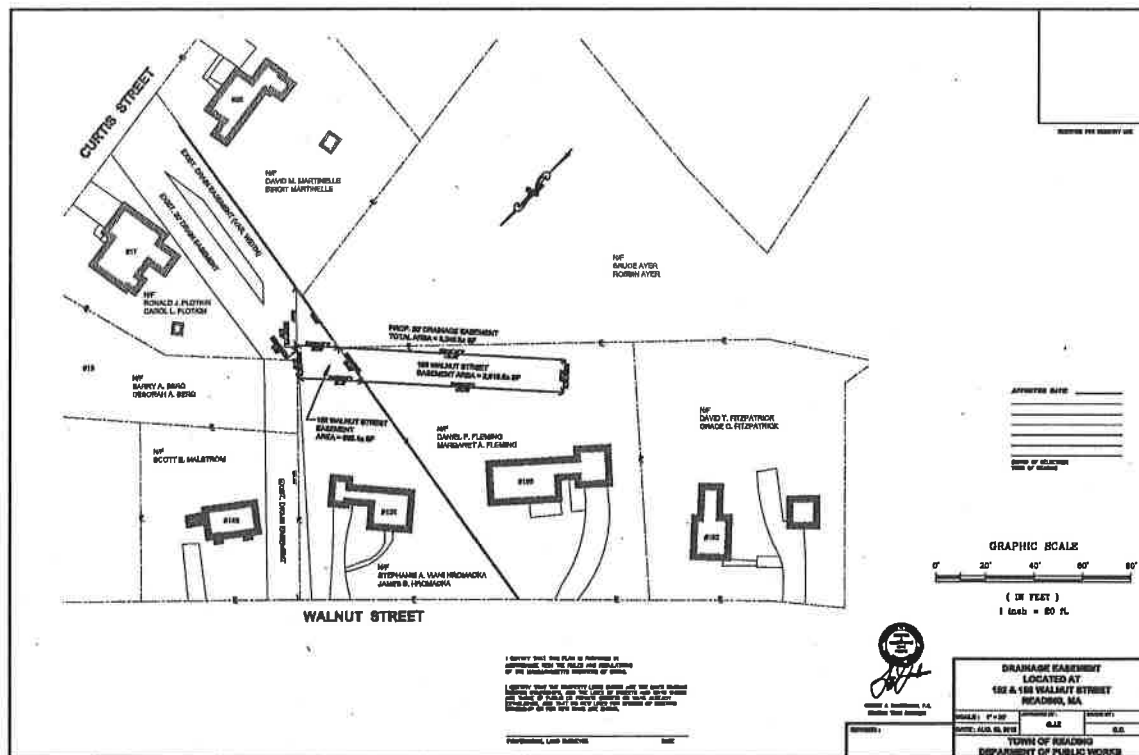
Background: Residents located in the vicinity of 152 to 162 Walnut Street and 13 & 17 Curtis Street are experiencing periodic flooding of their properties during heavy rain storms. There is an existing Town owned drainage system and easement located in the area. However the flooding the residents are experiencing, which is the result of an isolated depression, is not tributary to the current drainage system.

The acceptance of a 3,240.9 +/- square foot drainage easement as depicted on the plan entitled "Drainage Easement Located At 152 and 156 Walnut Street, Reading, Ma" prepared by the Reading Engineering Division dated August 20, 2012 will enable the Town to

construct and maintain the necessary drainage improvements to alleviate the flooding. Funding for the construction is available in the Storm Water Management budget.

The following owners have agreed to transfer the following easement rights to the Town for a nominal fee of \$ 1.00.

<u>Location</u>	<u>Owner</u>	<u>Easement Area</u>
152 Walnut Street	Stephanie A. Viani and James B. Hromadka	625 +/- SF
156 Walnut Street	Daniel F. Fleming and Margaret A. Fleming	2,615.8 +/- SF



Finance Committee Report - given by David Greenfield: The Finance Committee recommends the subject matter of this Article by a vote of 7-0-0 at their October 17, 2012 meeting.

Bylaw Committee Report: No report

Presentation given by:

- George Zambouras - See Attached

2/3 Vote Required
Declared Unanimous by Moderator
141 Town Meeting Members in Attendance

ARTICLE 9: Richard Schubert, Board of Selectmen moved that the Town vote to raise by borrowing pursuant to MGL Chapter 44, §7(1) and appropriate for the purpose of reconstructing surface drains, sewers and sewerage systems, including the costs of engineering services, plans, documents, cost estimates, bidding services and all related expenses incidental thereto and necessary in connection therewith the sum of four hundred and twenty one thousand dollars (\$ 421,000), said sum to be spent under the direction of the Town Manager; and

Stephen Goldy moved to dispense of the reading of the Article

Motion to Dispense Carried

that the Town vote to authorize the Town Manager, the Board of Selectmen, or any other agency of the Town to apply for a grant or grants to be used to defray all or any part of said sewer construction and/or reconstruction and related matters; and

that the Town vote to authorize the Town Manager to enter into any or all agreements as may be necessary to carry out the purposes of this Article, and that the Town authorize the Town Manager, the Board of Selectmen, or any other agency of the Town to apply for a non-interest bearing loan from the Massachusetts Water Resources Authority, and to authorize the Treasurer-Collector, with the approval of the Board of Selectmen, to borrow pursuant to said loan.

or take any other action with respect thereto.

Background: The MWRA's Infiltration and Inflow (I/I) Local Financial Assistance Program provides support to MWRA member communities to perform sewer rehabilitation and reduce infiltration and inflow into the sewer system. Infiltration occurs when surface water enters sewers through leaks, cracks and faulty joints in pipes and manholes. Inflow is caused from stormwater runoff that enters the sewer system through improper connections such as cross connected drains, roof drains and sump pumps.

MWRA Assistance

- The assistance is provided through a combination grant and no-interest loan
- Phase 8 Allocation is \$ 421,000 - \$ 189,450 (45%) Grant \$ 231,550 (55%) Non-interest loan
- Loan pay back to the MWRA - Equal installments over a Five-Year Period beginning one year after distribution of the funds

Acceptance of the grant/loan offer will enable the Town to continue with its I/I removal program to remove unwanted storm water flows from the sewer system which reduces excess sewer assessments from the MWRA and decreases the excess demand on the sewer system.

The Town's I/I removal program consists of:

- House-to-house inspections
 - The house-to-house inspections identify inappropriate direct connections (inflow) to the Town's sewer system with the purpose of assisting residents with identifying methods to remove the connections. The Town also provides limited financial assistance to the homeowner.
- TV inspections, testing and sealing of manholes and sewer mains

- TV inspections and the testing and sealing of manholes and sewer mains allows the Town to internally inspect sewer mains and manholes to with the purpose of identifying and eliminating points of infiltration into the sewer system.
- Sewer system smoke testing
 - Smoke testing of the sewer system is a method of identifying points of infiltration or inflow into the sewer system where visual or TV inspection access is not possible
- Spot repair, lining and replacement of sewers
 - Spot repairs, lining and replacement of sewers are performed when damage to the sewer system is not repairable or cost effective through internal sealing.
- Flow metering and gauging
 - The Town also performs flow metering and gauging to assist the Town in determining the areas of the sewer system that are experiencing the highest levels infiltration and inflow. Flow metering also assists in determining how affective the Town has been in mitigating I/I for the past several years.

Finance Committee Report - given by David Greenfield: The Finance Committee recommends the subject matter of this Article by a vote of 7-0-0 at their October 17, 2012 meeting. This continues our repairs of sewer inflow and infiltration with favorable terms including a 45% grant and interest free loan for the remaining 55% of this phase.

Bylaw Committee Report:No report

Presentation given by:

- George Zambouras - See Attached

2/3 Vote Required
Declared Unanimous by Moderator
141 Town Meeting Members in Attendance

Motion Carried

ARTICLE 10: Dick Curtis moved to Indefinitely Postpone Article 10

Motion to Indefinitely Postpone Carried

ARTICLE 11: James Bonazoli, Board of Selectmen moved that the Town vote pursuant to MGL Chapter 82, §21 and MGL Chapter 40 to discontinue a portion of Jacob Way shown as Parcel 7 on a plan entitled "Modified Subdivision Plan of Land & Jacob Way/South Street Alteration Plan Reading Woods in Reading, MA" Prepared For Pulte Homes of New England, LLC, 115 Flanders Road, Westboro, MA 01581, dated September 20, 2011 and recorded with the Middlesex South Registry of Deeds as Plan No. 327 of 2012 and

Stephen Goldy moved to dispense of the reading of the Article

Motion to Dispense Carried

That the Town vote to authorize the Board of Selectmen to convey Parcel 7 on said plan to Pulte Homes of New England, LLC; and

That the Town vote to authorize the Board of Selectmen to accept a grant of land from Pulte Homes of New England, LLC shown on said plan as Parcel 2, Parcel 3, and Parcel 4, subject to a temporary construction easement reserved by Pulte Homes on said parcels, with

- ♦ Parcels 2 and 3 to become part of the Jacob Way alteration, and
 - ♦ Parcels 4 and 5, Parcel 5 formerly being a portion of Jacob Way, to become part of the South Street alteration
- all as shown on said plan; and

That the Town vote to accept the layout of the Jacob Way and the South Street alterations as shown on a plan entitled "Alteration of Jacob Way and South Street in Reading, MA" prepared by Marchionda & Associates, L.P. dated October 23, 2012.

or take any other action with respect thereto.

Background: During the review and acceptance of the Reading Woods Condominium complex the Town required the reconfiguration of Jacob Way and South Street. This Article authorizes the necessary acceptance of land transfers, discontinuance of roadways and acceptance of the alteration in the roadway layouts of Jacob Way and South Street as approved by the Community Planning and Development Commission and the Board of Selectmen following extensive public hearings.

Re-location of Jacob Way five (5) feet southerly

The existing Jacob Way is to be relocated approximately 5 feet in a southerly direction for the majority of its length. To provide for this relocation and to keep the current minimum width of Jacob Way forty (40) feet for the majority of its length, the Town will discontinue the portion of Jacob Way shown as Parcel 7 containing 4,100 +/- SF as depicted on the plan entitled "Modified Subdivision Plan of Land & Jacob Way/South Street Alteration Plan Reading Woods in Reading, MA" Prepared For Pulte Homes of New England, LLC, 115 Flanders Road, Westboro, MA 01581, dated September 20, 2011 and recorded with the Middlesex South Registry of Deeds as Plan No. 327 of 2012. The discontinued Parcel 7 will be transferred to Pulte Homes of New England LLC. for the consideration of no more than One Hundred (\$100.00)00/100 Dollars

Pulte Homes of New England LLC will grant to the Town of Reading Parcel 2 containing 3,121 +/- s.f. for roadway purposes as shown on the plan entitled "Modified Subdivision Plan of Land & Jacob Way/South Street Alteration Plan Reading Woods in Reading, MA" Prepared For Pulte Homes of New England, LLC, 115 Flanders Road, Westboro, MA 01581, dated September 20, 2011 and recorded with the Middlesex South Registry of Deeds as Plan No. 327 of 2012. Said parcel is necessary for the re-alignment of the Jacob Way in the southerly direction.

The combination of Parcel 6 (the remainder of the current Jacob Way layout not discontinued), Parcel 2 and Parcel 3 (identified below) will form the relocated layout of Jacob Way.

Alteration of the Jacob Way and South Street intersection

To provide sufficient roadway layout for the recommended alteration of the Jacob Way/South Street intersection Pulte Homes of New England LLC will grant to the Town of Reading Parcel 3 containing 1,197 +/- SF. and Parcel 4 containing 3,498 +/- SF for roadway purposes as shown on the plan entitled "Modified Subdivision Plan of Land & Jacob

Way/South Street Alteration Plan Reading Woods in Reading, MA" Prepared For Pulte Homes of New England, LLC, 115 Flanders Road, Westboro, MA 01581, dated September 20, 2011 and recorded with the Middlesex South Registry of Deeds as Plan No. 327 of 2012.

Parcel 3 will become part of Jacob Way layout alterations and Parcel 4 will become part of South Street layout alteration.

Pulte Homes of New England LLC will grant parcels 2, 3 and 4 a total of 9,083 +/- s.f. to the Town of Reading for the consideration of no more than One Hundred (\$100.00)00/100 Dollars.

Jacob Way Alteration

Upon completion of the land transfers the layout of Jacob Way is hereby altered to the following meets and bounds:

Beginning at a granite monument to be set which is located on south line of the relocated South Street, a public, variable width right of way which is also the north east terminus of Jacob Way, as relocated;
thence S 24°50'44" W a distance of 85.36';
thence 102.52' along a curve turning to the right with a radius of 250.00';
thence S 48°20'26" W a distance of 134.38' to a granite monument to be set;
thence 162.82' along a curve turning to the right with a radius of 285.00' to a granite monument to be set;
thence S 81°04'28" W a distance of 445.86' to a granite monument to be set;
thence 31.76' along a curve turning to the right with a radius of 100.00' to a granite monument to be set which is located at the north west terminus of Jacob Way;
thence S 03°19'02" E a distance of 45.22' to a granite monument to be set which is located at the south west terminus of Jacob Way, as relocated;
thence N 81°04'28" E a distance of 610.87' to a granite monument to be set which is located on the north line of State Highway Route 128 also known as Interstate Highway Route I-95;
thence along the north line of said highway 209.82' along a curve turning to the right with a radius of 375.00';
thence N 33°26'28" E a distance of 193.93' to a granite monument to be set on the south line of South Street at the south east terminus of Jacob Way, as relocated;
thence along the south line of South Street N 56°33'32" W a distance of 58.96' to a granite monument to be set;
which is the point of beginning,
having an area of approximately 43,163 square feet, 0.99 acres.

as shown on the plan entitled "Modified Subdivision Plan of Land & Jacob Way/South Street Alteration Plan Reading Woods in Reading, MA" Prepared For Pulte Homes of New England, LLC, 115 Flanders Road, Westboro MA 01581, dated September 20, 2011 and recorded with the Middlesex South Registry of Deeds as Plan No. 327 of 2012 and further depicted on a plan entitled "Alteration of Jacob Way and South Street" prepared by Marchionda & Associates, L.P. of Stoneham, MA, for the Town of Reading, dated October 23, 2012

South Street Alteration

Upon completion of the land transfers the layout of South Street is hereby altered to include the following meets and bounds:

Beginning at a point located on south line of South Street, a public, variable width right of way and the east line of land now or formerly of Murphy;

thence along land now or formerly of Murphy S 08°47'52" E a distance of 5.17' to a granite monument to be set;
thence N 80°44'14" E a distance of 68.49' to a granite monument to be set;
thence 47.22' along a curve turning to the right with a radius of 75.00' to a granite monument to be set;
thence 46.10' along a curve turning to the right with a radius of 30.00' to a granite monument to be set;
thence S 56°33'32" E a distance of 58.96' to a granite monument to be set which is located on the south line of Jacob Way, a public, variable width right of way;
thence along the south line of Jacob Way the following two courses:
N 33°26'28" E a distance of 120.95' to a granite monument to be set;
34.68' along a curve turning to the right with a radius of 40.00' to a point which is located at the intersection of the south line of Jacob Way and the south line of South Street;
thence along South Street the following three courses:
S 83°07'18" W a distance of 128.34';
S 06°52'42" E a distance of 7.66';
S 81°12'08" W a distance of 147.66' to the point of beginning;
having an area of approximately 9,409 square feet, 0.22 acres.

as shown on the plan entitled "Modified Subdivision Plan of Land & Jacob Way/South Street Alteration Plan Reading Woods in Reading, MA" Prepared For Pulte Homes of New England, LLC, 115 Flanders Road, Westboro, MA 01581, dated September 20, 2011 and recorded with the Middlesex South Registry of Deeds as Plan No. 327 of 2012 and further depicted on a plan entitled "Alteration of Jacob Way and South Street" prepared by Marchionda & Associates, L.P. of Stoneham, MA, for the Town of Reading, dated October 23, 2012

The Board of Selectmen held a public hearing on October 23, 2012 and unanimously voted in favor of the discontinuance, alteration and relocation of Jacob Way and South Street.

Engineering plans, with metes and bounds description of the streets, are available for public examination in the office of the Town Clerk and the Engineering Division

Finance Committee Report - given by David Greenfield: The Finance Committee recommends the subject matter of this Article by a vote of 7-0-0 at their October 17, 2012 meeting.

Bylaw Committee Report:No report

Presentation given by:

- George Zambouras - See Attached

2/3 Vote Required
Declared Unanimous by Moderator
141 Town Meeting Members in Attendance

Motion Carried

ARTICLE 12: John Arena, Board of Selectmen moved to see if the Town will vote to amend the Reading General Bylaw by adding the following section 8.11:

Section 8.11 Trash Collection

No person shall collect, or cause others to collect trash, rubbish, garbage, recycling, offal or other offensive substances (whether from dumpsters, barrels, or otherwise, and whether on the public way, a private way or any lot) after 9:00 PM and before 6:30 AM in any residential district of the Town or within 100 yards of such a district as shown on the then current Zoning Map.

or take any other action with respect thereto

Background: Massachusetts General Law prohibits a community from enforcing regulations restricting rubbish collection in commercial areas at night. However, a community may regulate hours of rubbish collection in commercial areas by a local bylaw.

In residential areas the community may, as Reading does, establish hours of rubbish collection through Board of health regulation.

This Bylaw would prohibit rubbish collection in any residential area or in any area within 100 yards of a residential area between 9:00 p.m. and 6:30 a.m., consistent with current Board of Health regulations for residential areas. Appendix C shows on a town-wide map the areas affected by this proposed bylaw.

This has become an issue because most of Reading's commercial areas are within 100 yards of residential areas, and when rubbish is collected at hours of the night - such as 4 am it is a nuisance to nearby residents. The Public Health Division has and continues to receive frequent complaints.

Finance Committee Report: No report

Bylaw Committee Report - given by Phil Pacino: Recommends by a vote of 4-0-0

Presentation given by:

- Peter Hechenbleikner - See Attached

James Maughan, Precinct 4 moved to amend the word "collect" to "transport off site by commercial vehicle".

Motion to amend does not Carry

Majority Vote
Declared by Moderator
141 Town Meeting Members in Attendance

Motion Carried as Originally Proposed

ARTICLE 13: Stephen Goldy, Board of Selectmen moved to see if the Town will vote to rescind the entirety of Section 7.2 of the Reading General Bylaw and replace it with the following,

James Bonazoli moved to dispense of the reading of the Article

Motion to Dispense Carried

7.2 Historic Demolition Delay

7.2.1 Purpose

The purpose of this bylaw is to provide the Reading Historical Commission with a tool to assist the Commission in its efforts to preserve the Town's heritage and to protect historically significant structures within the Town, which reflect or constitute distinctive features of the architectural, cultural, economic, political or social history of the Town.

The purpose of this bylaw, even if it ultimately cannot prevent demolition, is to find a reasonable option to prevent complete demolition, and to provide owners of such structures with time to consider alternatives, by encouraging owners to seek out ways to preserve, rehabilitate, or restore such structures

To achieve these purposes, the Reading Historical Commission is empowered to create a List of Historic Structures, and to provide a copy of that List, as it may be updated from time to time, to the Building Inspector. With the Building Inspector, the Reading Historical Commission will implement the provisions of this bylaw with respect to the issuance of permits for demolition of structures that are included on the List of Historic Structures

7.2.2 Definitions

The following terms when used in this bylaw shall have the meanings set forth below.

7.2.2.1 Commission

Reading Historical Commission.

7.2.2.2 Demolition

Any act of pulling down, destroying, removing or razing a structure or commencing the work of total destruction with the intent of completing the same which work would require a Demolition Permit.

7.2.2.3 Demolition Application

An official application form provided by the Building Inspector for an application for a Demolition Permit.

7.2.2.4 Hearing

A public hearing conducted by the Commission after due public notice as provided in this bylaw.

7.2.2.5 Legal Representative

A person or persons legally authorized to represent the owner of a structure that is or is proposed to be subject to this bylaw.

7.2.2.6 List

The List of Historic Structures as it is constituted pursuant to this bylaw.

7.2.2.7 Owner

Current owner of record of a structure that is included in or proposed to be included in the List of Historic Structures.

7.2.2.8 Premises

The parcel of land upon which a demolished structure that appears on the List as defined in 7.2.2.6 was located and all adjoining parcels of land under common ownership or control.

7.2.2.9 Structure

Materials assembled at a fixed location to give support or shelter, such as a building.

7.2.3 Commission to Establish a List of Historic Structures

The Commission will provide a List of Historic Structures to the Building Inspector. This List shall be updated from time to time as needed when properties are added to or subtracted from the List of Historic Structures. The List shall also be provided on the Town's web site or other electronic means of publishing information to the community.

This List shall be made up of:

- all structures listed on, or located within an area listed on, the National Register of Historic Places, or the Massachusetts Historical Register of Historic Places ; and
- all structures included in the Town of Reading Historical and Architectural Inventory, as of September 1, 1995, maintained by the Commission; and
- all structures that were added in 2010 pursuant to the processes in existence at that time; and
- following the procedures included in Section 7.2.3.1 of this bylaw, all structures that have been determined from time to time by the Commission to be historically or architecturally significant.

7.2.3.1 Procedures for expanding the List

In considering additional structures to be included on the List, pursuant to section 7.2.3, the following process shall be followed:

- The Commission shall prepare, or cause to be prepared, an inventory form for each structure considered for addition to the List. The inventory form for each property shall be prepared using a standard form provided by the Massachusetts Historical Commission. The criteria to be used for consideration for inclusion on the List will include:
 - The structure is determined to be importantly associated with one or more historic persons or events, or
 - The structure is determined to be associated with the broad architectural, cultural, economic or social history of the Town or Commonwealth, or
 - The structure is believed to be historically or architecturally significant in terms of:
 - Period,
 - Style,
 - Method of building construction,
 - Association with a significant architect, builder or resident either by itself or as part of a group of buildings;
- The Commission will inform by regular US mail each property owner whose structure is being considered for preparation of an inventory form
- The owner of each structure for which an inventory form has been prepared shall be sent a notice of a public hearing at least 30 days in advance of the hearing. The notice shall be sent by Certified Mail – return receipt requested – or by service by a Constable. The notice shall include the following information:
 - that the structure that they own is being considered for inclusion on the List,
 - a copy of the inventory form for the structure,
 - a statement as to the criteria considered in including additional structures on the List, and
 - a copy of this bylaw.

In addition to the notice of the hearing delivered to each owner, legal notice of the hearing including the street address of all structures proposed to be added to the List shall be published at the Commission's expense at least 14 days in advance of the hearing in a newspaper of general circulation in the community. Additionally, at least 7 days prior to the hearing a copy of the newspaper notice will be mailed by regular U.S. mail to all property owners within 300 feet of each property containing a structure to be considered for inclusion on the List.

At the hearing, the Commission will hear comment from all owners and abutters who wish to be heard, and following the close of the hearing the Commission will make a determination as to which of the structures proposed for inclusion on the List of Historic Structures shall be voted onto that List. The decision as to what properties to include shall be made by the Commission, with the inclusion of a property on the List requiring the affirmative vote of at least 4 members of the Commission. The vote shall be taken at a public meeting, and the vote may be made either the same day as the close of the hearing, or at a later meeting of the Commission. If at a later meeting, the Commission shall inform each owner either upon closing the hearing or by regular US mail at least 3 days in advance of a public meeting, of the date of the meeting at which the matter is to be further discussed.

Nothing shall preclude the Commission from voting to add structures onto the List at different meetings.

7.2.3.2 Owner's Appeal of addition of a structure to the List

An owner, at the public hearing at which additions to the List are to be considered, may object to inclusion of their structure onto the List. At the hearing or such later date as agreed by the Commission, the owner shall submit information or documentation in support of their objection. The Commission may consider their objection at the hearing and/or subsequent public meetings, and the Commission shall not vote to include the structure in question onto the List until all information supplied by the owner can be fully considered by the Commission. In considering whether to finally vote to include a structure on the List the Commission will consider the information provided by the owner, and particularly how the structure meets the criteria established in 7.2.3.1. In addition to those criteria, the Commission will consider the uniqueness of the structure, quality of the materials remaining on the outside of the structure, and financial or other hardship that might be created to the owner by inclusion of the structure onto the List. A structure whose owner objects may only be included on the List if all 5 members of the Commission vote to do so.

7.2.4 Referral of Demolition Applications of structures on the List by the Building Inspector to the Commission

Upon the receipt of a completed Demolition Application for a structure on the List, the Building Inspector shall

- As soon as possible but not later than 30 days from the submission of a complete Demolition Application, notify the owner that the structure they want to demolish is on the List, and therefore subject to this bylaw.
- Provide the owner with a packet to apply to the Commission for demolition approval, along with a copy of the inventory of their structure, a copy of this bylaw, and a copy of any guidelines that the Commission has adopted regarding the demolition delay process.
- Inform the Chairman of the Commission of a pending application under this bylaw.
- Obtain an abutters list, at the expense of the owner, of all properties within 300 feet.
- Upon receipt of a completed application for Commission demolition approval, determine the completeness of the application.
- Notify the Chairman of the Commission who will provide the Building Inspector with alternative dates for a public hearing not sooner than 7 days nor more than 21 days from the determination that the application to the Commission is complete
- Arrange for the publication of a legal notice of the hearing, at the owner's expense, in a newspaper of general circulation in the community including the street address of all structures proposed to be demolished. The notice shall be published not later than 14 days prior to the hearing.
- Arrange for a mailing not later than 7 days prior to the hearing, at the owner's expense, of a copy of the newspaper notice to all property owners within 300 feet of the property containing a structure to be considered for demolition.
- Immediately forward a copy of the application to each of the members of the Commission.

7.2.4.1 Completed Application

The Owner shall be responsible for submitting seven sets of the following information as a completed application prior to the scheduling of the public hearing:

- Completed application form (if any)
- Description of the structure to be demolished (the inventory is an acceptable document for this purpose);
- A demolition plan
- Assessor's map or plot plan showing the location of the structure to be demolished on its property with reference to the neighboring properties;
- Photographs of all facade elevations;
- Statement of reasons for the proposed demolition and data supporting said reasons;
- Description of the proposed reuse of the premises on which the structure to be demolished is located.
- If applicable, the name and contact information of the Legal Representative;

7.2.5 Public Hearing

The Commission will hold a hearing to allow all interested parties to voice their opinions and to present pertinent information concerning the structure, as well as its value and importance to the neighborhood and the Town. The Owner or the Legal Representative will present the requested demolition plan and supporting documentation. The public may present their opinions and additional relevant information. After the presentation and the public comments, the Commission will make one of two decisions:

- The presented information is insufficient for the Commission to make a final determination on requested demolition of the Structure. Therefore, the Commission may continue the hearing. A continued hearing shall be not later than 21 days from the initial hearing and the hearing shall be closed within 30 days of the initial hearing.
- The presented information is sufficient to make a final determination on the requested demolition of the Structure. Therefore, the Commission shall close the hearing.

7.2.6 Determination of whether the Demolition Delay is imposed

Once the Hearing is closed, a motion shall be made to determine if the loss of the structure would be detrimental to the Town when considering the purpose of this bylaw as detailed in section 7.2.1:

- An affirmative vote by 4 members of the Commission will declare that the structure is protected by this Bylaw, and therefore, a demolition delay of up to six (6) months is imposed beginning the date of the vote.
- A negative vote by the Commission (affirmative vote of less than 4 members of the Commission) will declare that the structure is not protected by this Bylaw, and the Building Inspector may issue a permit to demolish the structure.

The Commission will notify the Building Inspector within seven (7) days of the Commission's decision. If the notice is not received within the expiration of seven (7) days of the close of the hearing, the Building Inspector may act on the Demolition Permit Application with no further restrictions of this bylaw.

7.2.6.1 Demolition Delay imposed

The Commission shall advise the Owner and the Building Inspector of the determination that the Demolition Permit will be delayed up to six (6) months. During this time, alternatives to demolition shall be considered. The

Commission shall offer to the Owner information about options other than demolition, including but not limited to resources in the preservation field, the Massachusetts Historical Commission, the Town Planner, and other interested parties that might provide assistance in preservation or adaptive reuse.

7.2.6.2 Responsibilities of Owner if Demolition Delay is imposed

The Owner shall be responsible for participating in the investigation of options to demolition by:

- Actively pursuing alternatives with the Commission and any interested parties;
- Providing any necessary information;
- Allowing reasonable access to the property; and
- Securing the premises.

7.2.6.3 Release of Delay

Notwithstanding the preceding section of this bylaw, the Building Inspector may issue a Demolition Permit at any time after receipt of written notice from the Commission to the effect that the Commission is satisfied that one of the following conditions has been met:

- There is no reasonable likelihood that either the Owner or some other person or group is willing to purchase, preserve, rehabilitate or restore the structure;
- The Owner, during the delay period, has made continuing, bona fide and reasonable efforts to locate a purchaser to preserve, rehabilitate or restore the structure, and that such efforts have been unsuccessful;
- The Owner has agreed in writing to accept a demolition permit on specified conditions, including mitigation measures approved by the Commission. Such mitigation could include a demolition of only a portion of the structure; or
- A period of six (6) months has elapsed since the conclusion of the Hearing referenced in section 7.2.5.

7.2.6.4 Appeal of the imposition of Demolition Delay

The owner of a structure for which the Commission has imposed a demolition delay may appeal from the imposition of the delay, and/or conditions of the imposition of the delay, by filing with the Board of Selectmen a written notice of appeal within fourteen (14) days of the date of the decision of the Commission to impose the Demolition Delay. Filing of an appeal will not extend the delay of up to 6 months imposed under section 7.2.6.1 of this bylaw.

Within twenty-one (21) days of receipt of the notice of appeal, the Board of Selectman shall convene an appeal hearing. Notice of the hearing shall be sent to the Chairman of the Historical Commission and to the owner or the owner's Legal Representative, for the purpose of adjudicating the appeal. The Board of Selectmen at the hearing shall review the record of the proceedings before the Commission and input provided by the owner and by Commission representatives.

Notice of the hearing shall be given to the owner, to the Commission, and to abutters within 300 feet of the property.

Within fourteen (14) days of the conclusion of the hearing, the Board of Selectmen will render a decision on the appeal. The decision shall be based on the record of the Commission's hearing at which the Demolitions Delay was imposed; information provided by the owner or the Commission at the Board of Selectmen hearing; consideration of the purpose of the bylaw as stated in section 7.2.1; how the structure meets the criteria established in 7.2.3.1.; the uniqueness of the structure; quality of the materials remaining on the-outside of the structure; and financial or other hardship that might be created to the owner

7.2.7 Emergency Demolition

Nothing in this Section shall be construed to prevent the Building Inspector from ordering pursuant to MGL Chapter 143 the emergency demolition of a structure included in the List of Historic Structures. Before issuing an order for an emergency demolition of such a structure, the Building Inspector shall make reasonable efforts to inform the Chairperson of the Commission of his intent to issue such an order.

7.2.8 Enforcement and Remedies

In the event a structure on the List of Historic Structures is demolished in violation of this bylaw, then no building permit shall be issued for the premises for a period of two (2) years after the date of such demolition.

or take any other action with respect thereto.

Background: At least two Town Meeting warrants over the past several years have included petitioned warrant articles amending the Demolition Delay bylaw. Most recently the 2012 Annual Town Meeting warrant included such a petitioned article, and the Board of Selectmen asked the petitioner to agree to an indefinite postponement of the article so that the Board of Selectmen, through the Town Manager, could conduct a more thorough review of the entire bylaw, since in the Board of Selectmen discussion on the matter it became clear that there were differences of opinion even among members of the Reading Historical Commission on how the bylaw actually worked.

This Article would rescind the existing bylaw, and replace it with the language as presented. There are two new sections - 7.2.3.2 which provides for an appeal by a property owner from having his/her property included on the List of Historic Structures, and Section 7.2.6.4 which provide for an appeal from the imposition of the demolition delay by an owner of property which is on the List of Historic Structures.

Additionally, the proposed bylaw eliminates a confusing and redundant part of the process from the current bylaw, clarifies the process by which properties get added to the List of Historic Structures, and otherwise clarifies and simplifies the bylaw.

Finance Committee Report: No report

Bylaw Committee Report - given by Phil Pacino: Recommends with modifications by a vote of 4-0-0

The Bylaw Committee reviewed the subject matter of this article in great detail with both the Historic Commission and the Town Manager. Additionally, the Chair of the Bylaw Committee was a member of the working group that discussed changes to the Demolition Delay bylaw. This article is the result of all this discussion.

The Bylaw Committee did in its final decision make recommendations for changes to the Article in Sections 7.2.3, 7.2.3.2 and 7.2.6.4. With these changes the Bylaw Committee feels that the changes to both the Establishment of the List of Historical Structures and the Demolition Delay will result in a workable document that will serve all parties well.

Bylaw Committee Recommendations Changes to Article 13

Section 7.2.3

Change the second sentence to "This List shall be updated by the Commission from time to time as needed."

Section 7.2.3.2

Change last sentence in paragraph to "A structure whose owner objects may only be included on the List if a minimum of 4 members of the Commission vote to do so."

Section 7.2.6.4

Delete the sentence "Filing an appeal will not extend the delay of up to 6 months imposed under Section 7.2.6.1 of this bylaw."

And replace it with "The filing of an appeal will stay the start of the 6 months imposed under Section 7.2.6.1 of this bylaw until the day following the final rendering of a decision by the Board of Selectmen on the adjudication of the appeal."

Historical Commission Report - given by Mark Cardono: In 1995, Town Meeting adopted the Demolition Delay Bylaw to encourage saving the Town's historical structures. This bylaw enables the Historical Commission to work with property owners to seek alternatives to demolition. To avoid misunderstanding, **demolition** is defined as **total destruction** of a structure; demolition in no way refers to any interior or to any exterior alteration or renovation, including additions, expansions, removal of a porch, remodeling a kitchen or bathroom, or other types of major modifications.

Earlier this year in response to the Selectmen's request to simplify and to clarify the process and procedures used and to allow for greater owner participation, the Reading Historical Commission (RHC) wrote a series of revisions to make the process more transparent and understandable. Much of that resultant document was used by the Town Manager to rewrite the bylaws after a Working Group laid out the current process. While the Commission generally supports the main body of the text and believes it meets the Selectmen's objectives, if this bylaw is adopted, a couple of its key points would greatly compromise and limit the Commission's ability to maintain the historical aspects of Reading. Therefore, the RHC offers and encourages the acceptance of the following three recommendations:

Recommendations:

7.2.3 Commission to establish a List of Historic Structures.

Add wording to allow for the removal of a structure from the List after it is demolished, which would enable the maintenance of an accurate List.

7.2.3.2 Owners Appeal of addition of a structure to the list.

Modify the votes needed "to an affirmative vote by 4 members".

7.2.6.4 Appeal of Imposition to the Demolition Delay.

Remove this appeal process from the bylaw. The Commission cannot support inclusion of an appeal process after a short term demolition moratorium is enacted, which by its nature, has a built-in rescission. Incorporating this appeal, as written, would severely diminish the bylaw's purpose and its effectiveness.

Overview of Changes and Rationales:

The Commission is in agreement with the Bylaw Committee's report that supports the intent of the first two recommendations above.

The third, if adopted over the RHC's staunch objection must incorporate safeguards to prevent overly hasty and/or frivolous appeals and to circumvent a reduction in the six-month time allocation for the Demolition Delay, the RHC offers two Alternative Recommendations if the majority chooses to retain this section of the bylaw:

1. If the Selectmen vote to release a property from the Demolition Delay, the vote should be the same super majority vote to which the RHC is held during the initial inclusion of the structure on the List and
2. If the Selectmen vote to deny an Appeal for Demolition Delay, the six-month Demolition Delay time period should begin the day after the Selectmen's vote.

Specific Changes and Detailed Rationales:

Recommendation 1: Section 7.2.3 Commission to Establish a List of Historic Structures

7.2.3 Commission to Establish a List of Historic Structures

The Commission will provide a List of Historic Structures to the Building Inspector. This List shall be updated from time to time as needed when properties are added to or subtracted following the demolition of the property from the List of Historic Structures. The List shall also be provided on the Town's web site or other electronic means of publishing information to the community:

This is an editorial change to add the phrase ", following the demolition of the property," after the words "or subtracted".

• Point of clarification - List Update

Currently, there are no provisions in the bylaw to remove a demolished property from the List. This phrase would allow the Commission to update the List and to have such an accurate List available for the Building Inspector. Note: this removal from the List does not remove the property from the Town of Reading's Historical and Architectural Inventory, as this is a permanent record of Reading's past.

Recommendation 2: Section 7.2.3.2 Owner's Appeal of addition of a structure to the List
7.2.3.2 Owner's Appeal of addition of a structure to the List of Historic Structures

An owner, at the public hearing at which additions to the List of Historic Structures are to be considered, may object to inclusion of their structure onto the List of Historic Structures. At the hearing or such later date as agreed by the Commission, the owner shall submit information or documentation in support of their objection. The Commission may consider their objection at the hearing and/or subsequent public meetings, and the Commission shall not vote to include the structure in question onto the List of Historic Structures until all information supplied by the owner can be fully considered by the Commission. In considering whether to finally vote to include a structure on the List of Historic Structures the Commission will consider the information provided by the owner, and particularly how the structure meets the criteria established in 7.2.3.1. In addition to those criteria, the Commission will consider the uniqueness of the structure, quality of the materials remaining on the outside of the structure, and financial or other hardship that might be created to the owner by inclusion of the structure onto the List of Historic Structures. A structure whose owner objects may only be included on the List of Historic Structures if all 5 members of the Commission vote to do so by an affirmative vote of at least 4 members of the Commission.

The RHC considers this to be an appropriate appeal and is not objecting to this addition to the Demolition Delay Bylaw. However, we are offering one modification to this section: Replace "if all 5 members of the Commission vote to do so" with "by an affirmative vote of at least 4 members of the Commission".

Rationale:

- **Higher Standard**

Requiring a unanimous vote of 5 members imposes a higher standard than required in nearly all other Town bodies, and the change to an affirmative vote of 4 members (a super majority) maintains consistency throughout the Demolition Delay Bylaw.

While this vote by the RHC would affect property owners, other decisions made by Town bodies also affect property owners, and they are not required to have a unanimous vote.

- **Additional Information Submitted by Property Owner for RHC's consideration for appeal**

The appeal procedure requires the RHC to consider additional information presented by the property owner and to consider the criteria differently, so even an affirmative vote by 4 members (the same vote as that required to add a structure to the List with no objection) would be more difficult to achieve after considering the property owner's additional information supporting that individual's objections.

Recommendation 3: Section 7.2.6.4 Appeal of the imposition of Demolition Delay 7.2.6.4 Appeal of the imposition of Demolition Delay

The owner of a structure for which the Commission has imposed a demolition delay may appeal from the imposition of the delay, and/or conditions of the imposition of the delay, by filing the Board of Selectmen a written notice of appeal within fourteen (14) days of the date of the decision of the Commission to impose the Demolition Delay. Filing of an appeal will not extend the delay of up to 6 months imposed under section 7.2.6.1 of this bylaw.

Within twenty-one (21) days of receipt of the notice of appeal, the Board of Selectman shall convene an appeal hearing. Notice of the hearing shall be sent to the Chairman of the Historical Commission and to the owner or the owner's Legal Representative, for the purpose of adjudicating the appeal. The Board of Selectmen at the hearing shall review the record of the proceedings before the Commission and input provided by the owner and by Commission representatives.

Notice of the hearing shall be given to the owner, to the Commission, and to abutters within 300 feet of the property.

Within fourteen (14) days of the conclusion of the hearing, the Board of Selectmen will render a decision on the appeal. The decision shall be based on the record of the Commission's hearing at which the Demolitions Delay was imposed; information provided by the owner or the Commission at the Board of Selectmen hearing; consideration of the purpose of the bylaw as stated in section 7.2.1; how the structure meets the criteria established in 7.2.3.1.; the uniqueness of the structure; quality of the materials remaining on the outside of the structure; and financial or other hardship that might be created to the owner

The Commission does not endorse the appeal provision that allows for a property owner to seek relief from a 6-month delay after due process before the Commission. Aggrieved owners do have the right to an appeal to Court. The owner never loses his/her right to demolish his/her structure, as a Delay is only an interim protection provision. The RHC considers this to be an inappropriate appeal and objects to this addition to the Demolition Delay Bylaw. Therefore, **the RHC's recommendation is to remove the entire 7.2.6.4 section.**

Rationales for this recommendation follow:

- The demolition delay was reduced from 12 months to 6 months at the April 2011 Town Meeting. This was done as a compromise between the Town's desire to maintain its historical heritage and to the benefit of the individual property owner.
- A Demolition Delay Bylaw is a common tool used by many (130 +) cities and towns in Massachusetts. No Demolition Delay appeals are in the template for bylaws from the Massachusetts Historical Commission, which is the template upon which the RHC's bylaw is based.
 - Town Counsel Gary Brackett in an email, April 3, 2012, to an inquiry from Peter Hechenbleikner, Town Manager, noted "The Demolition Bylaw . . . is a form of a moratorium on development, sometimes referred to as an 'interim protection provision'. These controls serve to protect the status quo for a limited period of time (6 months) while alternatives to demolition of the structure in question are explored. . . . controls of this sort are temporary . . ."
 - The 6-month delay is a temporary condition which is automatically rescinded after the 6-month period. This automatic rescission is unlike other decisions made by other Town boards, which are permanent. Therefore, no appeal is necessary.
 - Section 7.2.6.4 is redundant and hence unnecessary. Working with the RHC early on in the process may result in an early release from the delay, per section 7.3.6.2 Release of Delay. The Bylaw encourages owners and the RHC to work collaboratively to find an alternative to demolition which is acceptable to the owner. It encourages people to work together without creating animosity or adversarial positions.
 - This appeal threatens all properties (350 +) currently protected from expedient demolition not just the 99 which were added in 2010.

Therefore, **the RHC recommends that Section 7.2.6.4 be removed from Article 13.**

Thank you for considering these three recommendations from the Reading Historical Commission to Article 13.

Include in Appendix D and E are:

- ♦ A copy of an information flyer that the RHC uses for information to the community about the Demolition Delay Bylaw, and
- ♦ A copy of an inventory form developed by the Massachusetts Historical Commission as referenced in the proposed bylaw

Presentation given by:

- Peter Hechenbleikner - See Attached

On motion made by Andrew Grimes, Precinct 4 it was voted to move the question.

2/3 Vote Required
106 Voted in the affirmative
28 Voted in the negative
141 Town Meeting Members in Attendance

Motion to Move the Question Carried

Amendment # 4

Mark Cardono, Historical Commission moved to amend Article 13 by removing section 7.2.6.4

~~7.2.6.4~~ — ~~Appeal of the imposition of Demolition Delay~~

~~The owner of a structure for which the Commission has imposed a demolition delay may appeal from the imposition of the delay, and/or conditions of the imposition of the delay, by filing the Board of Selectmen a written notice of appeal within fourteen (14) days of the date of the decision of the Commission to impose the Demolition Delay. Filing of an appeal will not extend the delay of up to 6 months imposed under section 7.2.6.1 of this bylaw.~~

~~Within twenty one (21) days of receipt of the notice of appeal, the Board of Selectman shall convene an appeal hearing. Notice of the hearing shall be sent to the Chairman of the Historical Commission and to the owner or the owner's Legal Representative, for the purpose of adjudicating the appeal. The Board of Selectmen at the hearing shall review the record of the proceedings before the Commission and input provided by the owner and by Commission representatives.~~

~~Notice of the hearing shall be given to the owner, to the Commission, and to abutters within 300 feet of the property.~~

~~Within fourteen (14) days of the conclusion of the hearing, the Board of Selectmen will render a decision on the appeal. The decision shall be based on the record of the Commission's hearing at which the Demolitions Delay was imposed; information provided by the owner or the Commission at the Board of Selectmen hearing; consideration of the purpose of the bylaw as stated in section 7.2.1; how the structure meets the criteria established in 7.2.3.1; the uniqueness of the structure; quality of the materials remaining on the outside of the structure; and financial or other hardship that might be created to the owner~~

Amendment #4 - Motion Did Not Carry

Amendment # 3

Phil Pacino, Bylaw Committee moved to amend Article 13 -

Edit section 7.2.6.4 as follows:

Delete the sentence "Filing an appeal will not extend the delay of up to 6 months imposed under Section 7.2.6.1 of the bylaw"

And replace it with "The filing of an appeal will stay the start of the 6 months imposed under Section 7.2.6.1 of this bylaw until the day following the final rendering of a decision by the Board of Selectmen on the adjudication of the appeal."

7.2.6.4 Appeal of the imposition of Demolition Delay

The owner of a structure for which the Commission has imposed a demolition delay may appeal from the Imposition of the delay, and/or conditions of the imposition of the delay, by filing the Board of Selectmen a written notice of appeal within fourteen (14) days of the date of the decision of the Commission to impose the Demolition Delay. ~~Filing of an appeal will not extend the delay of up to 6 months imposed under section 7.2.6.1 of this bylaw.~~

The filing of an appeal will stay the start of the 6 months imposed under Section 7.2.6.1 of this bylaw until the day following the final rendering of a decision by the Board of Selectmen on the adjudication of the appeal.

Counted Voted
80 Voted in the affirmative
50 Voted in the negative
141 Town Meeting Members in Attendance

Amendment #3 - Motion Carried

Amendment # 2

Phil Pacino, Bylaw Committee moved to amend Article 13 -

Change the second sentence in the first paragraph of Section 7.2.3 from "This List shall be updated from time to time as needed when properties are added to or subtracted from the List of Historic Structures" to "This List shall be updated by the Commission from time to time as needed"

7.2.3 Commission to Establish a List of Historic Structures

The Commission will provide a List of Historic Structures to the Building Inspector. This List shall be updated **by the Commission** from time to time as needed ~~when properties are added to or subtracted from the List of Historic Structures~~. The List shall also be provided on the Town's web site or other electronic means of publishing information to the community.

Amendment #2 - Motion Carried

Amendment # 1

Phil Pacino, Bylaw Committee moved to amend Article 13 -

Change the last sentence of Section 7.2.3.2 from "A structure whose owner objects may only be included on the List of Historic Structures if all 5 members of the Commission vote to do so" to "A structure whose owner objects may only be included on the List of Historic Structures if a minimum of 4 members of the Commission vote to do so."

7.2.3.2 Owner's Appeal of addition of a structure to the List

An owner, at the public hearing at which additions to the List are to be considered, may object to inclusion of their structure onto the List. At the hearing or such later date as agreed by the Commission, the owner shall submit information or documentation in support of their objection. The Commission may consider their objection at the hearing and/or subsequent public meetings, and the Commission shall not vote to include the structure in question onto the List until all information supplied by the owner can be fully considered by the Commission. In considering whether to finally vote to include a structure on the List the Commission will consider the information provided by the owner, and particularly how the structure meets the criteria established in 7.2.3.1. In addition to those criteria, the Commission will consider the uniqueness of the structure, quality of the materials remaining on the outside of the structure, and financial or other hardship that might be created to the owner by inclusion of the structure onto the List. A structure whose owner objects may only be included on the List if ~~all 5 members~~ **a minimum of four (4) members** of the Commission vote to do so.

Amendment # 1 - Motion Carried

Majority Vote
Declared by Moderator
141 Town Meeting Members in Attendance

Motion Carried as Amended

ARTICLE 14: James Maughan, Conservation Commission moved that the Town vote to amend Reading General Bylaw Article 1, Section 1.8 Non-Criminal Civil Disposition of Certain Violations of the Bylaw, by:

Stephen Goldy moved to dispense of the reading of the Article

Motion to Dispense Carried

- changing the title to read: Non-Criminal Civil Disposition of Certain Violations of the Bylaw and any Rule or Regulation of a town officer, board or department";
- amending the first sentence to add after the word "bylaw" the following: "and any rule or regulation of any town officer, board or department"; and
- deleting the monetary penalties set out in Section 7.1 and adding the following subsections so that Section 7.1 Wetlands Protection should read as follows:

Bylaw Section	Bylaw/Regulation Title	Enforcing Person	Penalty First Offense	Penalty Second Offense	Penalty Additional Offenses
7.1	Wetlands Protection	Conservation Commission, Conservation Administrator			
Regulation Section 2.H.	a. Failure to file a Notice of Intent or Request for Determination of Applicability and to receive a valid Order of Conditions or Determination of applicability prior to activity.		\$ 300.00		
	b. Failure to promptly comply with an Enforcement Order		\$ 300.00		
	c. Failure to record Order of Conditions at the Registry of Deeds prior to activity.		\$ 25.00		
	d. Failure to notify the Commission prior to activity where a Condition of an Order of Conditions or a Request for Determination or a Minor Project permit requires such notice.		\$ 25.00		
	e. Failure to install and/or properly maintain erosion controls (per project).		Warning	\$ 25.00	\$ 100.00
	f. Failure to comply with any Condition of an Order of Conditions or Determination of applicability or Minor Project permit		\$ 25.00		
	g. Failure to apply for a Certificate of Compliance in a timely manner.		Warning	\$ 50.00	
	h. Conducting an activity subject to the Bylaw and Regulations after the expiration of a valid Order of Conditions or Determination of Applicability.		\$ 50.00		

or take any other action with respect thereto

Background:

Article 14 makes two changes to the Town Bylaw:

- ♦ The first is a change in the wording of the title and introduction to make it clear that the fines listed apply not only to violations of bylaws but also regulations. This was suggested by Town Counsel for completeness and applies to fines of any Town regulation, not just Conservation Commission violations.
- ♦ The second change is an update of the wetland related fines to be consistent with the more detailed description of fines currently in the Reading Wetland Regulations. The current bylaw lists a single fine which is more or less an average of fines for numerous infractions. Article 14 lists each individual fine for each type of violation and is consistent with the Wetland Regulations and the historic practice of the Conservation Commission. The Article is not intended to increase or decrease fines, the changes are simply to provide a more detailed description and achieve consistency with the regulations.

Town Meeting has the option of approving the specific chart of fines included in the article, in order for them to be able to be enforced through non-criminal disposition, Town Meeting does not have the ability to change the fines - only the Conservation Commission can do that. If Town Meeting does not approve the schedule of fines, then enforcement of the regulations may be done only through criminal enforcement.

Finance Committee Report:

No report.

Bylaw Committee Report - given by Stephen Crook: Recommends by a vote of 4-0-0.

Presentation given by:

- Peter Hechenbleikner - See Attached
- James Maughan - See Attached

Majority Vote
Declared by Moderator
141 Town Meeting Members in Attendance

Motion Carried

ARTICLE 16: Charlie Adams, CPDC moved that the Town vote to amend Section 2.0 "Definitions", Section 6.1 "Off Street Parking and Loading Areas" of the Town of Reading Zoning By-Laws as follows: (note – cross-through represents language to be eliminated and **bold** represents new language)

Richard Schubert moved to dispense of the reading of the Article

Motion to Dispense Carried

2.0 Definitions:

2.2.26.1 Public Off-Street Parking Facility: Parking areas which are owned and maintained by the Town that are open to the general public for the use of public parking. This does not include parking facilities which are owned by the Town with

the primary use of providing parking for municipal employees or customers doing business with the Town during normal hours of operation.

2.2.26.2 Remote Parking Facility: Parking areas which are not located on the same lot for the use the parking facility serves.

6.0 GENERAL PROVISIONS AFFECTING ALL DISTRICTS

6.1 Off-Street Parking and Loading Areas

6.1.1 Required Spaces: Off-street Parking and Loading Spaces are required to be provided in accordance with the following provisions:

6.1.1.1 No land shall be used and no building shall be erected, enlarged or used unless off-street parking areas, and off-street loading and unloading areas, conforming in amount and type to that described herein, are provided except that retail stores, offices and consumer service establishments located within three hundred (300) feet of a public off-street parking facility shall be exempted from off-street parking requirements.

6.1.1.2 Off-street parking areas, or loading and unloading areas shall be provided on the same lot as the use they serve, except that the Board of Appeals may permit off-street parking areas to be provided on another lot, but in no event shall such areas be more than three hundred (300) feet distance from the use they serve; provided, however, that in a Business C District, off-street parking areas or loading and unloading areas may be provided on or off the same lot more than three hundred (300) feet distance from the use they serve without such permission from the Board of Appeals so long as they are located within the Business C District and provided such parking and loading rights are evidenced by legally sufficient instruments approved as to form by Town Counsel and filed with the Town Clerk." **except the CPDC, by Special Permit, may allow remote parking lots or shared parking.**

6.1.1.3 (Note this section is deleted under 6.1.1.3 and renumbered as 6.1.1.7) ~~Off-street parking areas, or loading and unloading areas shall be provided in the amounts set forth in the following table. Where the computation of required spaces results in a fractional number, a fraction of one half or more shall be counted as one. In the event of a conflict of interpretation as to the category of the principal use, the Board of Appeals shall determine the proper interpretation.~~

Special Permit Criteria:

The CPDC may grant a Special Permit for remote parking or shared parking based on the following criteria and other applicable provisions presented in this subsection:

- (a) The capacity, location and current level of use of existing parking facilities, both public and private;**
- (b) The efficient and maximum use in terms of parking needs and services provided;**
- (c) The relief of traffic and parking congestion;**
- (d) The safety of pedestrians;**
- (e) The provision of reasonable access either by walking distance or shuttle vehicle arrangements;**

(f) The maintenance of the character of the area.

6.1.1.4 Procedure:

Filing for a special permit shall follow all procedures required for Site Plan Review under 4.3.3 of this Bylaw.

6.1.1.5 Remote Parking:

The CPDC may grant a Special Permit for an alternative location for nonresidential parking subject to the following provisions:

(a) the property to be occupied as parking shall be in the same possession by deed, by easement or by written agreement (e.g. long-term lease) as the facility served. All written agreements shall be subject to CPDC approval as to form and length of time and a copy of the agreement shall be filed with and made part of the application for a building or occupancy permit.

(b) Except where valet parking or other transportation between sites is provided, the distance between the site of use and its parking area shall be recommended to be four hundred (400) feet with a maximum of six hundred (600) feet.

(c) The remote parking area shall not create unreasonable traffic congestion or create a hazard to pedestrians or vehicular traffic.

(d) The remote parking area shall be located on property zoned for the same or other non-residential uses as the principal use being served by the parking.

6.1.1.6 Shared Parking Lots:

The CPDC may grant a Special Permit for shared parking facilities for nonresidential parking subject to the following provisions:

(a) Up to fifty percent (50%) of the parking spaces serving a building may be used jointly for other uses not normally open, used or operated during similar hours. The applicant must show that the peak parking demand and principal operating hours for each use are suitable for a common parking facility. The approval may be rescinded and additional parking may be required by the owners in the event that the CPDC, after notice and public hearing thereon, determines the joint use is resulting in a public nuisance or other adverse effects on public health and safety.

(b) A written agreement acceptable to the CPDC defining the joint use of the common parking facility shall be executed by all parties concerned and approved by the Planning Board as part of the special permit process. Such agreement shall be recorded at the Middlesex Registry of Deeds.

(c) Any subsequent change in land uses for which the shared parking proposal was approved, and which results in the need for additional parking spaces, shall require review and approval by the CPDC under this subsection.

6.1.1.7 Off-street parking areas, or loading and unloading areas shall be provided in the amounts set forth in the following table. Where the computation of required spaces results in a fractional number, a fraction of one-half or more shall

be counted as one. In the event of a conflict of interpretation as to the category of the principal use, the Board of Appeals shall determine the proper interpretation.

Off-Street Parking and Loading/Unloading Requirements:

(Note: Parking table does not change, is not repeated here.)

6.1.1.8 Phased Parking Spaces:

The CPDC may grant a Special Permit for the phasing of parking space construction upon sufficient documentation of circumstance such as building size or use with the following provisions:

(a) The total number of required spaces shall be in accordance with the standards set forth in Table 6.1.1.3 and clearly identified on the site plan.

(b) The spaces which are not intended for immediate construction shall be labeled "phased reserve parking" on the site plan and shall be properly designed into the overall parking lot layout.

(c) No more than 50% of the total required spaces may be designated for future construction.

(d) If at any time the Building Inspector and/or CPDC determines that additional spaces may be needed, the "phased spaces" shall be constructed upon formal approval from the CPDC.

or take any other action with respect thereto.

Background: The changes being proposed under Article 16 will allow for remote parking lots, shared parking and phased construction of parking spaces, each through a Special Permit from the Community Planning and Development Commission (CPDC). The proposed changes are initiated by the CPDC to provide additional tools to support and encourage development of lots, where appropriate, that cannot meet the zoning requirements for on-site parking. These recommendations are consistent with the recommendations of the 2009 parking study prepared by Nelson/Nygaard.

The existing Parking By-Law (Section 6.1 of the Reading Zoning By-Law) requires a certain number of off-street parking spaces based on use and the spaces must be provided on-site. These spaces must be located on the lot they serve, unless the Board of Appeals issues approval for parking spaces on another lot located no more than 300-feet from the use being served.

Due to land limitations, cost and feasibility many businesses experience difficulty providing the required number of on-site spaces. The proposed changes to the by-law will allow flexibility for providing the required parking spaces affording businesses and property owners more alternatives for development and/or redevelopment on sites which that may be severely constrained.

The by-law amendment will:

- Provide an alternative from seeking approval from the Board of Appeals for off-street spaces.
- Allow for Remote Parking Lots. Applicants must secure deed, easement or written agreement to use the land in which parking is proposed. The land must be zoned for the same or other non-residential uses as the use being served by parking.

- Allow for Shared Parking. Up to 50% of the spaces may be used jointly by uses not normally in operation (i.e. a restaurant utilizing parking spaces within bank parking lot). A written agreement must be obtained by the Applicant.
- Allow for Phased Parking Spaces. The construction of parking spaces may be phased upon sufficient evidence of circumstance. Total number of required spaces must be identified on the site plan and no more than 50% may be designated for phased construction. Those spaces designated for phased construction must be noted as such on the site plan.

The CPDC will consider a request for a Special Permit concurrently with Site Plan Review and evaluate impacts to safety, traffic, and the maintenance and character of the area. Projects that fall below the thresholds for Site Plan Review, will present the request for Special Permit at a Public Hearing with the CPDC prior to issuance of a building permit.

Finance Committee Report: No report

Bylaw Committee Report - given by Stephen Crook: Recommends by a vote of 4-0-0

The Bylaw Committee reviewed this article and agrees with the intent of the article. The article will help the Town with the definitions, understandings and interpret with regard to parking issues. The Bylaw committee in reviewing the article did make some numbering suggestions so the proposed Zoning Bylaws changes will fit into the Zoning Bylaws properly.

CPDC Report - given by Charlie Adams: On September 24, 2012 the CPDC convened to hold a public hearing on the proposed zoning amendment to Section 6.1 of the Zoning By-Laws "Off Street Parking and Loading Areas" and Section 2.0 "Definitions" for consideration at the 2012 Subsequent Town Meeting commencing on November 13, 2012. All documents were made available on the town website and at Town Hall. The public hearing was held to provide an opportunity for comment and to determine whether the provisions of the proposed zoning amendments shall be adopted by the Town.

The September 24, 2012 Article 16 was taken up at the public hearing at approximately 7:30 p.m. The public hearing was closed that same evening. All comments received at the hearing were included as part of the record of the hearing. CPDC voted 5-0-0 to recommend Article 16 to Town Meeting.

Presentation given by:

- Jean Delios - See Attached

2/3 Vote Required
Declared Unanimous by Moderator
141 Town Meeting Members in Attendance

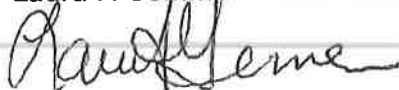
Motion Carried

Stephen Goldy, Board of Selectmen moved to adjourn the 2012 Subsequent Town Meeting *sine die* at 10:52 PM with 141 Town Meeting Members in attendance.

Motion Carried

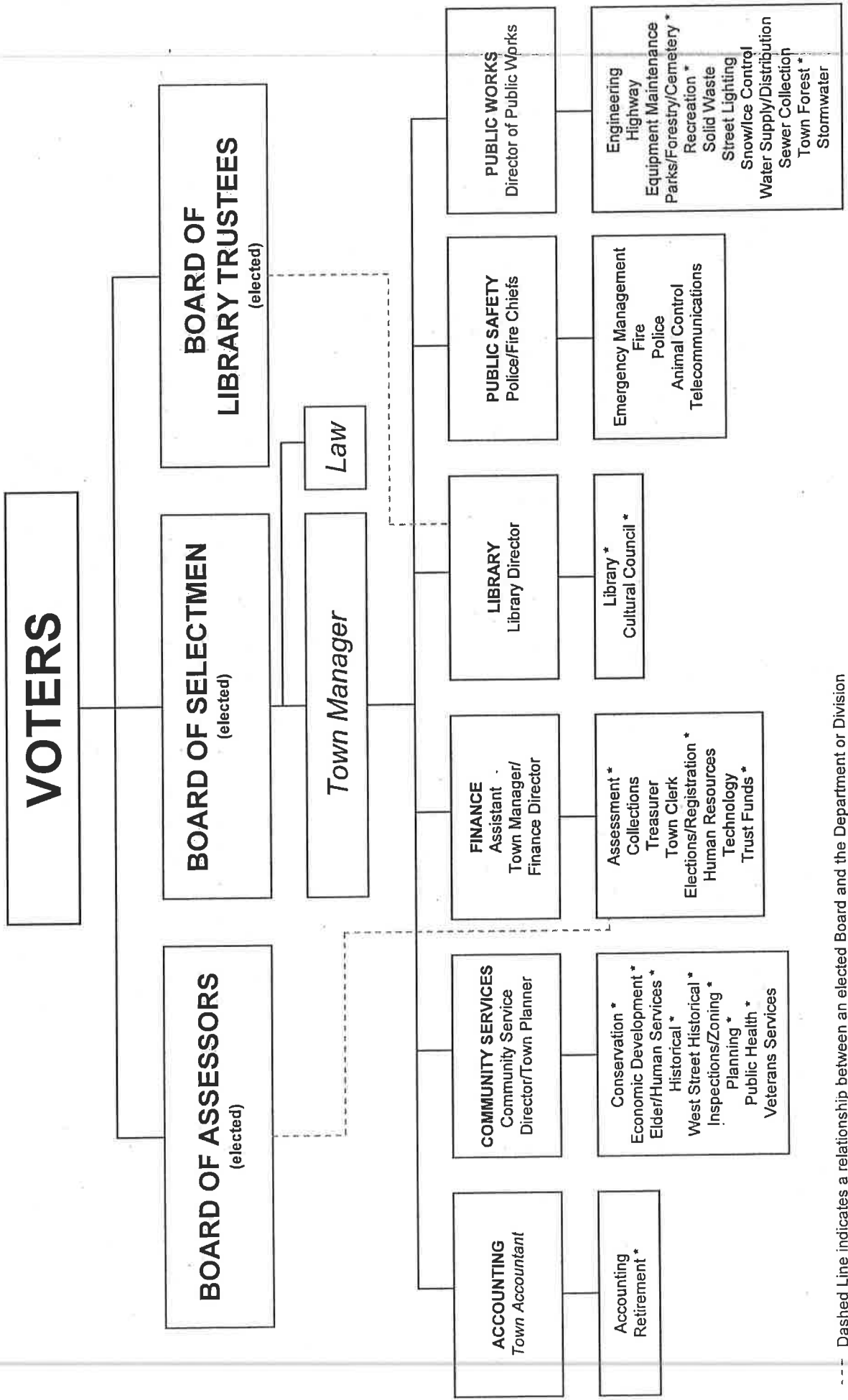
A true copy Attest:

Laura A Gemme - Town Clerk





Town of Reading, MA
Executive Branch
Table of Organization
(Adopted 11/17/11)



--- Dashed Line indicates a relationship between an elected Board and the Department or Division
Italic Designates positions appointed by the Board of Selectman
* Designates an elected or appointed Commission, Board or Committee that works within that Division

READING PUBLIC LIBRARY

Transformation!

For years we have envisioned a library that would meet the needs and expectations of Reading's citizens. The lovely and well-worn Highland School building that has served as the library's home for the past thirty years is showing its age and wear. In spite of diligent efforts, it is difficult to provide efficient and effective twenty-first century library services in a nineteenth-century school building that hasn't been fully adapted and burgeoning problems have taken a toll on budgeting and planning efforts.

In January 2011, after years of planning and study, the library applied for a State Construction Grant which was favorably reviewed. The State approved a plan presented by the Reading Public Library calling for a complete renovation of the current 31,000 SF Library building and a 7,596 square foot addition on the east side. State Administration, however, did not fully fund its Library Construction program and Reading was placed at the top of a long wait-list, pending State capital funding. No one could say for certain when the state construction grants would actually begin to flow again. The project had to be put on hold.

In October 2012, after almost two years on the wait list, the Massachusetts Board of Library Commissioners notified Reading that its General Construction Provisional Grant award of \$5,105,114 was available. The award is conditional upon the Town's securing funding for its share of the project cost by June 2013.

The Library presented a brief overview of the Building Program at the November 2012 Town Meeting.

At their meetings in January 2013, the Board of Selectmen and Finance Committee voted to recommend the project to a Special Town Meeting in January 2013. The question of a general vote to secure local funding for the project went before Town Meeting Members in January 2013, who voted to place it on the town's general election ballot in April 2013 as debt exclusion.

Background and Planning

Since 2007, the Reading Public Library Trustees and the Town administration have acknowledged that the current library building requires a major capital investment in order to function into the future. After consulting with community members, town and facilities staff, and administration, the Trustees engaged a team of professionals, including engineers and architects to perform a building assessment of the current library to gauge its long-term suitability as a library and its capacity to serve the Town for the next twenty years. Based on the subsequent report and approval from the Town, Trustees applied for a General Construction Grant to modernize the facility while preserving the historic character and comfortable feel of the current library. The design specifications required the continued use of the Highland School, sensitivity to the neighborhood setting, and that the project is minimally disruptive both during and after construction.

While everyone works hard to keep the library looking clean and comfortable; and high ceilings, bright windows, and a cheerful decor make it feel spacious and open; there are both structural and system issues that interfere with the library's ability to function. In spite of the best efforts to keep up with repairs and preventative maintenance, there has been an increase of costly and urgent issues in recent years. Moreover, when the old Highland School building was converted for library use in 1983, it was done on a cost-conservative basis using local funding exclusively. The final budget of \$997,000 did not address major items such as floor loading, roof restoration, electrical service, HVAC, windows, and other structural and functional issues.

Here's a brief list of some of the problems that need to be addressed:

- Floor Load – built originally as a school, the wooden floors were not sufficiently reinforced to withstand typical library load. That is why most of the adult collections at the Library are in the basement.
- Building envelope – including inadequate insulation, poor drainage, damaged gutters and downspouts, etc.
- Windows – all of the windows on the main and second floor need to be replaced, except eight that were done at great expense and time a few years ago. The most of these windows are original to the 117-year-old building and are not energy efficient or, in some cases, functioning.
- Roof – the roof leaks. Leaks that have overflowed the buckets in the attic, or sprung up in unexpected places have caused water damage in the children's room ceiling and some of the materials in the children's collection.
- Masonry – the exterior of the library has suffered erosion from water and other environmental factors, leading to additional water leakage and damage in the building, particularly the basement. The brick needs to be repointed and masonry repaired.
- Electrical - while the service coming into the library is sufficient, the power distribution within the building is grossly insufficient. Most of the building lacks adequate outlets to support laptops use, essential lighting, or modern equipment like copiers, laminators, scanners, and computers and printers.

There are many other major system problems that include ventilation, heating and cooling, accessibility, data lines, security and safety, and energy inefficiency. Codes have changed drastically in the thirty-years and the overall structures and systems are overdue for replacement and upgrades.

The Addition

In order to qualify for the construction grant award, the library's design plans have to include sufficient functional space for the library to serve the community for at least twenty years. Based on modest (10%) growth predicted for Reading, some functional areas are severely inadequate and need to be relocated and expanded. These include space for quiet reading and

silent study, space for children's programs, space for more computers for public use, and expanded and accessible conference and meeting rooms. In order to conform with current building codes, address the growth that has taken place since 1983, and fix major structural, accessibility, safety, and security issues, the plan calls for a two-story addition on the east side.

Functionality behind-the-scenes is also sorely lacking. Circulation of library materials has almost doubled since 1983, to over 500,000 annually. The library received over 200,000 visitors last year and has over 16,000 active library card users. Over the past 30 years, the library has added essential services including computers for public use, teen services, book discussion groups, tax form distribution, museum pass program, parent/child storytimes, Singalongs, and places for group study. Inter-library lending, which moves 70,000 books in and out of the library through delivery every year, has had a major impact on the circulation department which is not equipped to handle 12-15 heavy bins of books every day.

The Future

While we recognize the rapid growth of digital formats, we know that there will continue to be a need for public spaces, learning together, and a place to explore books and other print materials. The plan that has been developed for the future recognizes the Reading Public Library as a beloved center of the community. It is planned with flexible spaces for public use and a cost-effective design to deliver library services for young and old to explore their world and discover their future through books and other media, programs, and with the expert assistance of librarians trained to navigate the ongoing explosion of knowledge and information and online learning. Wherever the future of "the book" lies, people will continue to seek out a place to learn and grow and discuss and explore, to build community, and to be greeted by friendly, knowledgeable people who understand how to make the latest gadgets and gizmos work!

HIGHLIGHTS OF 2012

New Integrated Library System (ILS) Evergreen

In May 2012, the Reading Public Library and all NOBLE network libraries migrated to a new ILS (Integrated Library System) called Evergreen, after 13 years working with Innovative Interfaces software. This was a major transition and a remarkable accomplishment for library staff to learn a whole new way of doing every detail of their already-complicated jobs! The migration necessitated months of training, study and practice with all-new approaches to all of the system modules.

The library's three trainers did an outstanding job learning to work with the new software and dedicated enormous amount of thought and creativity to develop training sessions in manageable pieces for all library staff members. In addition, all library staff attended a series of NOBLE and in-house trainings, practice, and Q&A sessions.

Months of group and individual Evergreen training culminated in an all-staff live training session on May 17. Librarians prepared online and print tools for the public to use with the new interface. On May 29 the system came up and library staff was well prepared to introduce the public to the new system. Library Evergreen trainers coordinated the transition to our new catalog system. Staff offered daily one-on-one instruction to the public on our Evergreen catalog

system. Trainers continued to meet regularly to respond to staff inquiries and report or manage difficulties with speed and data, while continuing staff training and public promotion.

Personnel

Reference Librarian Nancy Aberman, M.L.S., retired in 2012 after 29 years in Massachusetts libraries. Nancy's commitment to lifelong education and outstanding public library service inspire all of us to strive for excellence in service and dedication to our profession. Nancy's creative and innovative approach to her work led her to begin the award-winning LiveWires series of programs, strengthen the library Take-Out service for homebound delivery, and develop and deploy volunteer services at whole new levels. Her leadership in reference and readers' advisory set new benchmarks for building our knowledge base and community-responsive programming. We are proud to have had her among us, and we wish her all the best in her next chapter!

We also said goodbye to Nancy Hunt in 2012, after 15 years of working part-time in the Circulation Department. Unfailingly dedicated and loyal, Nancy's cordial and cheerful presence and her careful attention to detail are sorely missed on processing late books and handling the interlibrary requests. We wish Nancy a happy retirement.

We were delighted to welcome Andrea Fiorillo, M.L.S., as Reference and Senior Services Librarian in 2012. Andrea's previous experience as a social worker, in school and public libraries, as a customer service representative, and her great job doing community programming as Adult Services librarian in another Massachusetts town, combined to bring a fresh approach and new insight into her position at the Reading Public Library.

Amy Lannon, M.L.S., who since 2003 served as a Reference and Young Adult Services Librarian at Reading Public Library and who led the design and development of the library's website and social media presence, was promoted to Assistant Director in 2012 after the resignation of Dorota Socha. Amy brings a great range of skills and quick-thinking attributes to the position and has demonstrated her vision of 21st Century library services repeatedly in her practical and thoughtful approach to problem solving and implementing new public services.

Hannah Gavalis, M.L.S., was hired as a Reference and Young Adult Services Librarian to fill the vacancy created by Amy's promotion. Hannah recently earned her Master's in Library Science at Catholic University of America in Washington, DC and interned at the Library of Congress where she worked with local history and genealogy materials. Hannah brings public service experience in academic and public libraries, great ideas and enthusiasm, an outstanding service ethic, and a solid understanding of teens' developmental and educational requirements to her new position at Reading Public Library.

Internship

We welcomed an Intern from the Simmons Master's of Library Science program in the Spring. The 120-hour internship provided our intern from Minnesota a rotation in each of the library's divisions and gave her brief but substantive experience as a cataloger, administrator, reference, circulation, or children's librarian. Both parties benefited from this experience; the intern gaining from staff expertise and real life situations, and staff gaining from the renewal and refreshment

of mentoring, demonstrating first-hand how the profession's core values are enacted in public service, and fresh ideas and a new approach to familiar choices. Because of our active engagement in the Massachusetts Library Association as committee chairs and President, she also learned a great deal about participating in professional association activities, and accompanied me to the State House to present the Association's Advocacy award to a State Representative and call on our Reading legislative delegation to brief them on library issues.

International Guests

The library was also pleased in the Spring to welcome two Pakistani visitors, Altaf Gohar and Shehryar Sikander to the library on a Friday afternoon as part of a Massachusetts Municipal Association professional partnership program during their visits to several town government departments in Reading and nearby. They were delighted with the tour of the library and eager to learn about library resources and the tradition and value of free and open locally-funded public libraries.

Legislative Breakfast

In October the library hosted the Northeast Massachusetts Library Legislative Breakfast, sponsored by the Massachusetts Library Association. Reading Town and Reading Library staff and the MLA Committee welcomed legislators, supporters, trustees, Friends, and others from communities in the Merrimack Valley Library Consortium and the North of Boston Library network.

EBooks

Reading's EBook usage nearly doubled in 2012 from 3,654 checkouts in 2011 to 7,011 checkouts in 2012. In 2012 we again offered a special evening program Ebooks! EReaders! EGads! to help residents figure out how to download free library ebooks onto their digital devices. Reading citizens also took advantage of drop-in workshops, an online help page, updated print guides, and Kindles and Nooks for loan. The most popular downloaded title system-wide was The Help. 735 Reading residents signed up as new users in 2012.

CHILDREN'S DIVISION HIGHLIGHTS FOR 2012

2012 broke the previous-high record for children's circulation: 176,125! It marks a 10% increase over last year and breaks the previous record for children's circulation set in 2009. Way to go, Reading children – and parents and teachers!

Curious Science Grant

The library was awarded a federal grant in October to promote science literacy for children in grades 3-5 on STEM (Science, Technology, Engineering, Math) topics. Two Reading children's librarians attended training at Framingham State where they visited the official NASA-affiliated Curriculum Center and went on a "Flight to Mars" at the Christa McAuliffe Center.

With this grant the library will ignite interest and encourage the natural science curiosity of upper elementary students by providing hands-on STEM activities and resource materials. 17

programs in areas such as engineering, computer programming, animation, physics, biology, chemistry, and forensics are planned.

Sensory Storytime

Another innovative program is the very successful monthly Sensory Storytime for children on the autism spectrum and their typically developing peers. Developed by librarian Ashley Waring, the program has received national attention and Ashley has been a featured speaker at state and regional conferences.

Outreach

We worked with Reading Girl Scouts; Science Olympiad Team; Reading Recreation Division and the Reading School Department to develop and plan the Curious Science grant; and the Moms Club of Reading, Parents of Tots, Connect the Tots, the EMARC sponsored autism support group; and Reading RISE preschool to develop and promote the Sensory StoryTime. We appreciate our partners and friends throughout the community who so willingly share their knowledge and resources to help us offer high-quality programs and educational experiences for Reading children and families.

Thank You

Every year it is a pleasure and a privilege to thank the many people and organizations who make it possible for the library to succeed in its mission to serve all the people of Reading. To the Reading Public Library Foundation and the Friends of the Reading Public Library, I offer deep gratitude for your ongoing commitment to the library and your tireless work on its behalf, you connect us directly with the community in more ways than we can count, and your financial and moral support humble us and honor us as we strive to live up to the goals your organizations help to establish. We thank you all!

Our volunteers, from the NetGuides to the summer Volunteers to the volunteers who perform so many behind-the-scenes tasks like newspaper indexing, helping in technical services and with digitization, assisting with programs, offering programs as experts, and delivering books to the readers who can't come to the library, we say thank you over and over again. While we wish we could personally thank you every time you're here, please know that we are always aware of the great work you do and the great service you provide!

To our generous and loyal donors, to the wonderful and faithful and hard-working staff, and this terrific community of supporters and friends, thank you for all you do every day to keep this fine library afloat. Your work and support are crucial to the library's success.

This year I would like to offer personal thanks and praise for the Library's Board of Trustees. Their leadership, drive, and perseverance to transform the library from its nineteenth-century roots to a twenty-first century model of excellence have been inspirational and awe inspiring. They have shown their commitment to bring a new improved library to Reading through endless meetings, debates, presentations, and Town Meetings. They've demonstrated their dedication to enhancing library services and programs, and lifelong education and literacy and the staff of the library join me in thanking them from all of us.

Respectfully submitted,

Ruth S. Urell, M.L.S.,
Director

Service Statistics 2012

Circulation (Total)	511,235*
Direct Circulation - Adult & YA	263,408*
Direct – Children's	176,125*
Interlibrary loans (I.L.L.)	71,702*
Visitors	204,118
Volunteer Service Hours	1,965
Library Collections (Total)	122,589
Books	101,490
Video, DVDs, CDs	21,099
Electronic Content	5928^
Magazine Subscriptions	310
Electronic Subscriptions	23
Meeting Room Bookings	653
Reference Consultations	68,366
Program Attendance (Total)	21,454
Adults & Young Adults	5,315
Children	16,139
Museum Passes (27 passes) Borrowed	1,639

- * Denotes all-time record high for Reading Public Library
- ^ Doubled since 2011

READING PUBLIC LIBRARY STAFF ROSTER

Administration

Director – Ruth S. Urell
Assistant Director – Amy Lannon
Administrative Assistant – Kathryn Melesciuc

Reference Division

Division Head – Lorraine Barry
Adult & Elder Services Librarian – Andrea Fiorillo
Local History Librarian – Rachel Baumgartner

Young Adult Librarians – Susan L. Beauregard, Hannah Gavalis
Promotional Services Librarian – Kathleen Miksis
Reference Librarian – Eileen Barrett

Technical Services

Division Head – Jamie Penney
Senior Library Associate – Allison Sloan
Senior Technician – Dawn Colford
Page – Judy A. Newton

Circulation Division

Division Head – Michelle A. Filleul
Senior Library Associate – Patrice A. O'Donnell
Technicians – Donna Beaulieu
Maureen Conwell
Mary Ellen Downey
Susan R. Haggerty
Louise Hetherington
Danielle Kimerer
Meaghan F. Kinton
Carol Macomber
Joanne H. Penta
Christine Rutigliano
Pages – Sonia Aggarwal
Diane Furlong
Neftali Gonzalez
Lisa Li
Molly O'Donnell

Children's Department

Division Head – Corinne Fisher
Children's Librarians – Brenda Wettergreen, Rachel Baumgartner, Ashley Waring,
Kathryn Geoffrion Scannell, Megan White
Senior Library Associate – Mary McIntire
Pages – Meaghan Coughlin
Jacquelyn Saunders
Grace Stroman
Theresa Teixeira

Custodian

John Davis

Reading Public Library Board of Library Trustees

David P. Hutchinson, Chair Term expires 2014
Richard Curtis, Vice Chair Term expires 2013